# Council Proceedings of the City of Shreveport, Louisiana February 12, 2008

The regular meeting of the City Council of the City of Shreveport, State of Louisiana was called to order by Chairman Joe Shyne at 3:03 p.m., Tuesday, February 12, 2008, in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Councilman Father Hughes.

The Pledge of Allegiance was led by Councilman Lester.

On Roll Call, the following members were Present: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Absent: None.

Motion by Councilman <u>Walford</u>, seconded by Councilmen <u>Long and Bowman</u> to approve the minutes of the Administrative Conference, Monday, January 21, 2008 and Council Meeting, Tuesday, January 22, 2008. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

Awards, Recognition of Distinguished Guests, and Communications of the Mayor which are required by law.

Mayor Glover: Thank you Mr. Chairman.

Councilman Shyne: Now you have one of your good friends out in the audience Mr. Mayor, Dr. John Baldwin. Knew you when you were growing up.

Mayor Glover: Mr. Shyne, I assume that all the good folks here are my good friends.

Councilman Shyne: Well, I guess I opened the door for you Mr. Mayor.

Mayor Glover: Well it's this kind of disposition I take through life. Mr. Chairman, Members of the Council, it's my privilege today to honor and recognize an individual who is a significant part of the Shreveport Community for a very long time. Would the family of Coach Lorenzo Powel please join me here at the mic please.

Councilman Shyne: And Coach, you look so young.

Mayor Glover: For ten years, Coach Powel taught tennis to hundreds of SPAR youth and students at Booker T. Washington High School. Coach Powell was a natural teaching tennis to children who normally would not have had the opportunity to learn and play the sport of tennis. He was an educator, a 30 year employee of the Caddo Parish School System, and he retired from Booker T. Washington High School in May of 2007. He will be remembered for his sense of humor, his love of life, his genuine love of young people, his love for education. The memory of Coach Powell will always remain in our hearts. The memory of Coach Powell and all the great work that he contributed to the people of Shreveport and Caddo Parish, I'm honored to present posthumously, this Mayoral Award of Excellence to Coach Lorenzo Jacob Powell represented today here by his lovely wife and sister and son. God bless.

Ms. Powell: We the family of Lorenzo Powell would like to thank you very much for this honor. As the Mayor has stated, my brother was one that loved children, he loved education, and he was always pressing forward to give children the understanding that they must pursue excellence. And we thank you this day. Thank you very much.

Councilman Shyne: How about, I'd like to hear something from his son there, because he looks so long, and I'm going to start calling you Coach.

Coach Powell: Actually I am a coach as well Mr. Shyne. I appreciate the opportunity to speak on my father's behalf. He was one of the few that you could call a great man in Shreveport. He wasn't famous or well known, but he touched so many lives, that I really didn't even know until after he'd passed. To this day, people come up to me and they say that he was a father to them that they never had in the community. That's in the Queensborough, Allendale and Lakeside areas. And I just hope that one day I can be half the man that he was, and I thank you for your time.

Councilman Shyne: Appreciate it and if you don't mind, we're going to call you Coach too.

Councilman Lester: Thank you Mr. Chairman. I just wanted to express to the family my personal sense of loss. Your father, husband, brother was my brother. My fraternity brother. He loved his family, he loved his fraternity, he loved children, and he gave his life. Much of what Lorenzo Powell was about was about service to the community and to the young people. And he made a difference in a lot of people's lives. Growing up in Shreveport, growing up in this area playing tennis and even mentoring young men as we moved up into adulthood, and what it meant to be a father. Our organization has four cardinal principles. Manhood, Scholarship, Perseverance, and Uplift. And Lorenzo Powell embodied each and every one of those. Thank you.

Councilman Shyne: Just let me say just one thing before you all take your seats. You know I think Coach really realized that if we're going to improve our community, if we're going to change our community, because it seems like this is what everybody is buying into - - - change now. He realized that you do it through education. He realized how important education is. He realized that if you wanted to change the sagging pants, or if you wanted to cut out the stealing in the neighborhoods, if you wanted to cut out the gang banging, you do it through education, and Chief, I don't mean any harm, but you don't really do it through the Police Department. That's how you change values. Coach realized that. That you start working with kids when they are young. You change their values, you change their mindsets. You know once they get to the Chief, and he puts the handcuffs on them, a lot of times, it doesn't really change their mindsets, it just makes them harder. It sometimes puts a bad taste in their mouths, but your daddy, your brother, our husband realized that if you catch them young, he realized that education is that thing that can equalize everything. And that's what he believed in, and he believed in working with kids, and he believed in improving his community through young people, through working with them. And somewhere down the line, some of us have lost how important education is to mankind, to everybody. So you all don't have anything to be worrying about. And you know God works in mysterious ways. You never know when, you never know how.

Ms. Powell: That's absolutely correct and we appreciate those words from both of you. And the legacy goes on because Lorenzo has a great nephew, my grandson that is a nationally ranked tennis player. Through his efforts and working with Marcel Lewis and

he plays USDA Tennis. And so the legacy goes on. And we appreciate all of you this day. Thank you.

Councilman Shyne: Bring him down sometimes, and let us honor him please. Ms. Powell: Yeah, oh yeah. Actually, he's the highest ranked player for his age group.

Mayor Glover: Thank you to the Powell family. Next I want to bring up Chief Glass. Chief Glass is going to pay recognition to two individuals, or he will join me in paying recognition to these individuals in addition to receiving the Mayor's Award of Excellence, will also be recognized by the Shreveport Fire Department. Will Mr. Elmer Williams and Mr. Johnny Presely. Please come up and join us.

Councilman Shyne: Mr. Mayor, these gentlemen look like they might come from my neighborhood. A working class neighborhood.

Mayor Glover; Mr. Chairman and Members of the Council, these two gentlemen are drivers for Haverty's Furniture Store. And just so happened that they were leaving for their first delivery of the day, along E. Kings Hwy around the duck pond. While they were driving they saw an out of control vehicle cross the road in front of them and plunged nose first down into the bayou. Being good Samaritans, conscientious citizens, heroes, they quickly parked their truck and ran to render aid. Mr. Presely tied a rope around Mr. Williams' body and held it while Mr. Williams climbed down to the woman whose car had gone over the bank and into the water. A medical condition had caused the woman to lose control of her car, but she didn't know that there were two guardian angels standing at the ready to come to their aid. The bank where the car came to rest was so steep that it had not been for Mr. Williams and Mr. Presely, she might have drowned or gone undetected. These men are truly, truly heroes. Because of their unselfish actions, it is my honor to present to them the Mayor's Award of Excellence.

Chief Glass: Thank you Mr. Mayor, Mr. Shyne and Council Members. Myself along with members of the Shreveport Fire Department also would like to express our gratitude and appreciation in recognition of the bravery of these two men. It's citizens like these that assist in times of need the Fire Department and the Police Department when an emergency occurs. We would also like to recognize Mr. Williams and Mr. Presley with the highest award that the Shreveport Fire Department has, the Citizens Accommodation. Along with this certificate and this commemorative coin in recognition of your efforts. Thank you.

Mayor Glover: Any comments gentlemen? No? In fact Mr. Shyne it was one of their co-workers who made a point of - - - because this was an issue that got very little if any media play. None that I saw, but it was in fact one of their co-workers at Haverty's who knew about what actions these gentlemen had taken, the effort that they had put forward that brought it to my attention, and we were just simply honored to be able to reach and let them know that we truly appreciate the heroism that they displayed on that fateful day. Next Chief Glass will make an announcement about yet more good news for the City of Shreveport. Chief Glass.

Chief Glass: Mayor, Councilman Shyne and Council, and to the citizens of Shreveport. The Shreveport Firer Department is very excited today to be able to announce that we have just recently received the results of our latest Property Insurance Association of Louisiana Evaluation. And again this year, we have maintained a Class I rating for the Shreveport Fire Department and the Citizens of Shreveport. And we're

very excited about that. Thank you. We established a Class I rating in 1988, and have maintained that rating. This year having scored a higher percentage than we did last year. The importance of this rating to us is it was a random rating, which shows our readiness and preparedness. As most of you know that rating includes not only the Fire Department, but Mr. Strong and the Water Department are collectively we've reached a 91.77. And actually have enough property to get re-evaluated later this year if we so chose when we bring on the new ladder truck that's scheduled to be delivered later this year. A Class I rating estimate a savings to property residential owners about \$3.7 (million) a year. The Shreveport Firer Department is one of only 47 Class I fire departments in the entire United States, and only one of 24 that delivers both fire operations and ALS service, Advance Life Support Service. So, we're very proud of the men and women. Mr. Strong, I've already congratulated him at our staff meeting this week, and how much we appreciate their help cause collectively, it is a joint award. We're very proud to make that announcement today. Thank you for your continued support of our department that helps to give us the resources to meet that rating.

Councilman Shyne: Chief, thank you very much and I was wondering if that's the reason Mike Strong has had a smile on all week. He usually is kind of sour. But this week, he's had a smile on.

Mayor Glover: It's just Tuesday Mr. Chairman.

Councilman Shyne: Oh, okay.

Mayor Glover: Thank you Chief Glass. Also we have several members of the Fire Department who are here. There are some already standing, but those who are not, would you all please stand as well? Those that are standing, please raise your hand. Chief, I want you and all those who are here today to go back and let all the men and women on A, B, and C shift know, just how much we appreciate the hard work, the effort, the sacrifice that you all have put forth to achieve this objective and to maintain it for these ten years, and to find that we have even taken a step even higher. And certainly we appreciate Mike all that you and your folks have done in Operational Services to insure that we have all the water and other support that's necessary to make sure that we maintain the level of excellence that we do. Finally, Members of the Council, I want to just simply say since Chairman Shyne has already made reference to that this past week, I and Arlena Acree had an opportunity at the invitation of the Lt. Governor to go and join him and other individuals from across the State of Louisiana out in Los Angeles for a working trip that just happened to be capped off with what turns out to be one of the longest events I've ever had the distinct privilege to be invited to. Nobody tells you that the Grammy's actually start at 1:00 in the afternoon. That's the pre-televised portion where out of 110 awards that are presented, that's where 100 of those 110 awards are actually presented. The portion that you all had the privilege of seeing here on television live for 3 ½ hours starts at 5:00 and during that 3 ½ hour span of time, there are only ten awards that are presented. And so it was certainly an interesting experience. But the most beneficial aspect of the entirety of the trip happened to be the events that Lt. Gov. Landrieu and the folks from Cultural Recreation and Tourism and Sherry (inaudible) from Economic Development set forth that allowed us the opportunity to yet again meet with, interact with, network with individuals from the film and the music industry. And we had again an opportunity to be able to go out and try and put some more people into the Shreveport Northwest Louisiana boat and bring them back here and to allow to do

what they do here. We had some significant contact with a lot of individuals (inaudible) yet again to put ourselves in a position to see even more activity come here. And we're especially excited about being able to expand beyond the film industry as we have done so for the past 2 ½ plus years. But for those who don't know the state also offers a credit in several other areas of the creative arts, including the theatre now. The effort to initiate Broadway South, we're looking forward to some new and exciting news that will be coming forth in that area. Here in the coming weeks, could also within the music industry, there is a significant program that seeks to help and foster and generate additional opportunity within the film industry. It was especially exciting to have the opportunity to be there with two individuals who happened to have been Grammy Nominees from the State of Louisiana. Terrence Simien was the winner for the first ever Zydeco Cajun Music Category of Grammy Awards, and Shreveport's own Kenny Wayne Shepherd, with yet again a two time Grammy nominee. And had the opportunity to greet and meet with all of them. They were very (inaudible) throughout our efforts there even were gracious enough to put on several performances, that gave us the opportunity to showcase to the music and entertainment industry executives exactly the type of flavor that we have to offer here throughout the entirety of Louisiana. So, we look forward to even bigger, better, and brighter things happening on the creative side of the equation here in Shreveport here in Northwest Louisiana, throughout the entirety of 2008. Good to see you guys again, God bless you.

Councilman Shyne: Mr. Mayor, just before you take your seat, I wanted to let you know I watched the show. The best part I remember and I saw was about Tina Turner and Beyonce. And I thought about it was kinda the old and the new and I thought about Bryan Wooley and Joe Shyne. The old and the new. So, we really enjoyed it and we really know that you put a big punch in there for Shreveport.

Mayor Glover: Absolutely. I've been told that you two make quite a pair, so I'm looking for that first public performance. I can tell you Mr. Shyne, it was the whole entire event was just simply a wonder to behold. To realize that all of that is going on and being broadcast live while it's happening. And so I was just happy to be there, and then too, to get a chance to actually see up close and personal some of those wonderful folks who grace the screen.

Councilman Shyne: Thank you so much. Any Council Members have any distinguished guests? I see so many distinguished people in the audience. I guess we could probably have almost everybody out there to stand, except Jim Holt.

Councilman Lester: No, he's pretty distinguished.

Councilman Shyne: Okay. Is it the same one? Is it Dr. Baldwin our same - - -? Councilman Walford: Well no, but John is certainly a distinguished guest.

Councilman Shyne: I wanted to, but before we get to Monty, John I wanted to invite you up and I believe you have some guest with you, and Dr. Baldwin is one of those individuals who I've known for a long time, and who has known the Mayor for a long time. And who has been an outstanding educator in this community. And John, I hope you don't mind me saying this, but I guess John's experience goes about 30 years or better. He doesn't look it. Of course I didn't want to say that in front of Monty, because you know how Monty is. He's conscious of his age.

Councilman Walford: He's younger than I am.

Councilman Shyne: Okay, but Dr. Baldwin, the mic is yours and you can introduce and - - -

Mayor Glover: Mr. Chairman, Mr. Baldwin, before you speak, I think there's one part that Chairman Shyne left out. And that's that he was a veteran teacher at Green Oaks when you came as a young rookie. He was there to welcome you, the first day on the job.

Councilman Shyne: Now, you're not supposed to say that.

Mayor Glover: Some 30 plus years ago at Green Oaks High School. I was just wondering why he left that part out.

Mr. John Baldwin: Let me just say these are two of my good friends from Green Oaks Days, and we've remained friends throughout the years. By the Mayor, you said everybody in the room was a friend of yours, I guarantee you, everybody with me is a friend of yours. We are here to discuss with you an issue that has gotten the attention of the Interfaith Organization, and to begin our presentation, I'm going to ask Ms. Ruth Bryant to come up.

Ms. Ruth Bryant: Thank you Honorable Mayor. To Chairman Shyne and to the other Councilmen. Thank you so much for having us. My name is Ruth Bryant, and I'm a member of Evergreen Baptist Church. And I serve as Chairperson for Neighborhood Revitalization, that's one of the action teams of Interfaith. And Interfaith is a growing faith based organization crossing religious, economical, political lines working to identify issues and then working for those solutions. One of our mottos, we do not ask anyone to do anything that we are not willing to do ourselves. Mayor, we want to thank you for T-Bone. We want to thank you for Mr. Jim Holt who has met with the group on a number of occasions. T-Bone is one of the best working tools we have and we urge it's continuance.

Rev. Frank Hughes: Good afternoon, I'm the Reverend Hughes, an interim priest at Holy Cross Church on Cotton Street. I'm here this afternoon to thank my parishioner Mr. Monty Walford as well as the other distinguished members of Council for a recent blessing that has come our way. I'm referring to the tearing down of the old Bill Hannah Ford Building. The asbestos abatement began yesterday. I saw it, and we understand shortly the entire building will be completely torn down. As you know this is an eyesore. And that this building is visible from the front door of our church. Holy Cross and the members of Holy Cross Church are looking forward to the complete removal of this building. Thank you.

Ms. Willie Meyers. Good afternoon. My name is Willie Meyers and I am a member of the Mt. Canaan Baptist Church where the Rev. Harry Blake is the pastor. Neighborhoods Revitalization conducted a blitz against blight, and recorded code violations in Allendale. We have been working with Mr. Holt who is addressing these violations, however, code violations are a problem in the whole city. We are here to encourage the Mayor and the Council to support the establishment of an environmental court which the state law provides for. We need special dates for these cases to be heard.

Councilman Shyne: Ms. Meyers, not cutting you off, but would you restate that again, maybe a little bit louder.

Ms. Meyers: Which one?

Councilman Shyne: What you just got through saying.

Ms. Meyers: I just said three things.

Councilman Shyne: No, the last one that you said.

Councilman Lester: The environmental court.

Ms. Meyers: Oh, that part. We are here to encourage the Mayor and Council to support the establishment of an environmental court which the state law provides for. Was that loud enough?

Councilman Shyne: It was.

Ms. Meyers: We need a special date for the code violations to be heard. We are providing the Mayor and the Council with letters of support from our institutions. Additional sheets with signatures will be forthcoming. And that's all we're here for. Thank you.

Councilman Walford: Mr. Chairman, Ms. Meyers was being very quiet. Ms. Meyers is very outspoken and calls her councilman to let him know. Isn't that right Ms. Meyers?

Ms. Meyers: Yes Councilman.

Councilman Walford: And I enjoy talking to you. Ms. Meyers: And I'm still waiting for my sidewalk.

Ms. Bryant: Again, I'd like to say Honorable Mayor, and Mr. Shyne and to the other Councilmen, we are looking for a long and lasting loving working relationship. Thank you again.

Councilman Shyne: Dr. Baldwin, and I believe you have - - - I guess I'm having a senior moment. Ms. Lady Carlson, would you please come forward and just kinda let us know who you are and where you come from, and not what you're all about, but I saw Calvin look at me.

Ms. Carlson: I'm Lady Carlson, and I am an organizer with Northern and Central Louisiana Interfaith. I think most of you know my colleague, Mr. Perry Perkins. I will be working in Shreveport as the organizer. He will still be in and out, but I will be the day to day person. I've been organizing with the Industrial Areas Foundation for 17 years and living in Louisiana for the last four years. And my great aunt Corinne Taylor was one of the first Black School Board Members in Shreveport. I'm not from here originally, but it's good to be home. Thank you.

Dr. Baldwin: I just want to thank you all very much for entertaining us today. Thanks.

Councilman Shyne: Dr. Baldwin, we appreciate having you all down. This is what city government is all about. This is what democracy is all about. We serve at the pleasure of you all, so anytime you all want to come down and voice your opinions, please feel free. This is the fabric that makes America the greatest country in the world, is what you're seeing taking place today. Again, Dr. Baldwin thank you.

Councilman Lester: Thank you Mr. Chairman. I was just going to tell - - - say to the Interfaith group I really appreciate your efforts. I would be remiss if I didn't acknowledge the fact that let me see, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, people more than half of them are my church members. So, Councilman Walford, you get it on the phone. I get it Wednesdays and Sundays. But I do appreciate your ideas about the environmental court and Councilman Walford will tell you that's one of the ideas that we have had in the Property Standards Committee. And I would suggest to you as a group as you make those copies of that information that you are supplying to us on the Council, that you make a point of submitting that information to City Court as well. Because I think they

will be very interested to know what citizens think about property standards violations and that whole scenario. Thank you Mr. Chairman.

Councilman Walford: And I appreciate your efforts on the environmental court, and as I mentioned to John last night, Councilman Lester and I've been working on that for how long Calvin? Five years?

Councilman Lester: Too long.

Councilman Walford: But we're getting closer to at least having property standards cases, we hope ultimately heard at the same time so our inspectors are not in and out of court instead of being out in the field. But one other thing that I want to bring up for the benefit of those who don't know about Interfaith. It - - - you were talking about what democracy is all about, but Interfaith is what a city is all about. When you have people from all religions, all socio-economic coming together for a common goal, and it has been a great success. And one other thing Lady, didn't you just move to Shreveport? So we have a new Shreveport resident. We welcome her. But thank y'all so much for coming.

Mayor Glover: Mr. Chairman, before you all take your seat and possibly take your seat, I just wanted to join the members of the council in expressing to you all my appreciation for the great work that you all have done and are doing collectively. I do know that throughout the course of the 2006 Mayor's race, probably one of the most beneficial Mayoral forums that was held, was conducted by you all, members of Interfaith. I think it touched on issues and subjects that so many groups around this city fail to understand the significance and the importance of. I want to particularly commend you all for the leadership position that you took with the previous Council and the previous Administration regarding the need for extended hours of operation for our bus service here, for SPORTRAN. That's something that I and others have talked about for years. But it never managed to happen, until the critical mass of citizens combined with leaders from the previous Council in particular and Mr. Lester and Mr. Walford was around then as well, coming together to actually get that done. And in doing it, despite the fact there were many who said that they didn't believe that it would work. Not only has it worked, it has continued to grow in the days and the weeks and the months and now the several years that it's been in effect. And so I want to thank you all for that. One of the things that I've also had the opportunity to do since I've been Mayor, is it actually go and visit and interact with several of the initiatives that you all spoke with me and some others as we were candidates about. The first was the Workforce Development Initiative that's happening down in Austin, TX, and that as I understand it has now gotten it's first Louisiana start over in the Monroe area. Had a chance to meet with, get to know and interact with those individuals down in Austin. And we're very hopeful that it has the potential for us here in Shreveport. I'm looking forward to also finding out more of several of the other things that we talked about. The Nehemiah Initiative, I know is one that addresses housing. I'm very interested in being able to sit down Dr. Baldwin, Lady and the rest of you to talk more about and to pursue the other things that you all presented to us. And certainly with regard to the environmental court, the one thing that we quickly came to understand is that when you start strengthening up the chain that you quickly find out where the weakest links still are. And while we were able to with the help of this Council do a great deal in terms of improving the process of Code Enforcement and cleaning up our neighborhoods and citing the individuals who are responsible for it. And

we did that with the leadership of Bonnie Moore, and Jim Holt and all the men and women who go out and do it everyday, we now see that we do have some issues that we have to resolve if we want to end up being fully effective. And that's happening right now at our City Court level. And so I do know that you're going to have my support and as I hear it, this Council's support as we seek to try and resolve that issue. And figure out how we complete that circle. T-Bone cannot only do the work that it has to do out in the neighborhoods, but it ends up having the full impact and affect within the court system that we need to have it. And lastly, I still say Mr. Baldwin, I guess he hadn't finished the PhD by the time - - - gotcha. But I wanted you to know Mr. Baldwin as I remember I think you were one of the original faculty members at Green Oaks High School, you taught both of my sisters and my brother, and unfortunately I didn't stat at Green Oaks long enough to make it to your class, but - - - yes you did, yes you did. But you were without question an individual who was committed to the educating and the empowering and the improvement of the lives of the young people in that school and all throughout Shreveport and the state and the country for that matter. And I also wanted to say one of the great failures of our local school system, if there ever has been a failure of our local school system was its inability to recognize there was a point and time several years ago, when you were the perfect person to become the next principal of Green Oaks High School, and for a lot of reasons that don't have anything to do with ability, or confidence or ability, you were not selected. And I think the school has suffered everyday since then. So I want to let you know how much everything that you have done and that you are doing, and I'm proud to call you my friend. So, thank you. Thank you Mr. Chairman.

Councilman Shyne: Mr. Mayor, it came to my attention that just a few minutes ago, I said 'yes sir' to you. And I remember about 16 years ago, you came down here, I was you Chairman, and you were saying 'yes sir' to me. Dr. Baldwin thank you.

Mayor Glover: You didn't have grey hair then Mr. Shyne.

Councilman Shyne: I hope Councilman Walford doesn't mind me saying this, this is known all over, this is Black History Month. And Councilman Walford brought that to my attention, and Councilman I want to thank you for doing that, and I think you have somebody that lives in your district who has made history, so I'm going to turn the City Council Meeting over to my good friend, the honorable Monty P. Walford.

Councilman Walford: Now Mr. Shyne, lets be really honest here. You knew because you were in her elementary school I believe yesterday because of Black History Month. And you know we have a tendency to recognize and honor national figures because of the history they've made. But we've got some local folks that I think deserve some recognition. And I have one from my district and I've already done this once at a Town Hall Meeting. I embarrassed her, and she's over there now, and she's blushing. But I have a constituent that6 I would ask to come forward. Shirley Wills, would you mind coming up and letting me embarrass you just a little bit more, because you made history and I'm going to tell them about it. What a lot of people don't know and we're going to make sure they find out today Ms. Wills is that Shirley Wills made history because in 1978, she was the first African-American female elected to the then Caddo Parish Police Jury. Us old timers remember the police jury, but for you young ones that is now the Caddo Parish Commission. And she served until 1984, but she made history in being elected to that position. And if I'm not mistaken, at that time you represented

Stoner Hill, Anderson Island, Highland and part of Allendale. And stories I get, you were pretty outspoken in getting things done. And that you were responsible for a lot of things happening. And she served until 1984 in that capacity, but she didn't just sit back and do nothing after that. She was responsible for Stoner Hill Elementary was it being renamed to E. B. Williams, renamed for it's long, long time principal. She was responsible for Hopewell Street being renamed to C.E. Galloway Blvd, that we all know and have I guess it's been so long now that we just accept it that that's always been the name, but that's actually in honor of a long time pastor of Hopewell Baptist Church. So, Ms. Wills made history, and she's not bashful about calling me and letting me know when she needs things, but every time Lynn and I run into here, she's got a big smile and I appreciate what you did, and she did make history in Shreveport and I wanted to bring her forward. So Ms. Wills, I'm very proud to have you as a constituent.

Ms. Wills: Thank you so much. To the honorable Mayor, Councilman Shyne, and to my Councilman, Mr. Walford. Thank you so much for thinking of me. And also want to thank you for the job that you are doing, all of you in doing the business of the City. Thank you for this opportunity, I'm glad that you thought of me, and may God continue to bless each of you.

Councilman Shyne: I want to piggy back on that just a little bit. I have my cousin sitting up here, Councilwoman Joyce Bowman, who also made history on the - - - it was not the Police Jury, but it was the Caddo Parish Commission. And since this is Black History Month, and you know cousins look out for cousins, Joyce was the first - - - Joyce I guess I'm going to say female period, and if I can say African-American female who was president of the Caddo Parish Commission, Joyce I salute you.

Councilwoman Bowman: Why thank you.

Councilman Shyne: Ms. Wills served her community extremely well, and I've known Shirley for a long, long time, and Cedric, you stay out of this, because you always want to make it seem like I go way, way back. But I've been knowing Shirley for a long, long time. And Shirley, you've always been one of those people in the community who always were out about doing the business of 'am I my neighbors keeper'? You've always demonstrated that. You've always demonstrated a Christian love for people. Not only in your district, but everywhere you've gone. And I want you to know I appreciate that. And Joyce, you've always done the same, so thank you all very much for coming down.

Councilman Long: Mr. Chairman, I'd like to recognize somebody in the audience real quick, and that's the Honorable David Cox, back there, the current President of the Caddo Parish Commission.

Councilman Webb: And we also have ex-Councilwoman Pat Spigener in the audience.

Councilman Shyne: Come on Pat, stand. Alright lets give Pat a big hand. Pat did a fantastic job when she served on the Council. I had the pleasure to serve with Pat and Pat I'm extremely proud of you now, and I was extremely proud of how you looked out and how you worked for your community. And I can tell that your husband has been good to you, because you're still look young Pat, and I can tell that God is still blessing you. Thank you very much. You want to come up and say something Pat?

Ms. Spigener: I will later.

Councilman Shyne: Okay, cause I don't want you to leave here without saying anything.

Councilman Lester: Mr. Chairman, she has to tell us a good Joe Shyne story too, I know she has several.

Councilman Shyne: Councilman Lester, you getting like the Mayor over there.

Mayor Glover: Mr. Chairman, she knows a few as well I'm sure. Mr. Chairman if I may, sitting next to former Council Member Pat Spigener, who I also had the distinct honor and privilege of serving with, and Pat was an outstand and courageous leader for District E for eight years, but sitting next to her is also a young lady who ran for the School Board and fought to improve the quality of education in Caddo Parish as well. And she's a good friend also, Wanda Wright.

Councilman Shyne: Wanda, stand up. I thought maybe that might have been an LSU senior or something, right - - - looking so young.

# Reports: Property Standards Report

Councilman Shyne: What are the wishes of the Council with Property Standards? Do we get a chance to shoot at him today?

Councilman Walford: No, that was yesterday.

Councilman Shyne: I saw him looking at his watch, and I know he's looking at his watch to make sure he'd have some time to stay so that we could shoot at him again. No questions for Mr. Holt?

Councilwoman Bowman: I read this note Jim that Julius White plead not guilty?

Mr. Holt: That's correct. He was in court this morning.

Councilwoman Bowman: Not guilty on Code violations or?

Mr. Holt: Yes Ma'am.

Councilwoman Bowman: Okay, well what about his zoning case?

Mr. Holt: I think my understanding was the entire thing was tied together. I believe that's the way Terri described it to me.

Councilwoman Bowman: He said he's not guilty of keeping that mess on 70<sup>th</sup> Street.

Mr. Holt: Mr. White is not guilty of anything if you ask him.

Councilwoman Bowman: Guilty of perjury.

**Public Hearing:** None.

Confirmations and/or Appointments, Adding Legislation to the Agenda, and Public Comments.

**Confirmations and/or Appointments:** 

Shreveport Bossier Convention and Tourism Board Mr. Thaddeus Pugh

Motion by Councilman <u>Walford</u>, seconded by Councilman <u>Webb</u> to postpone until February 25, 2008. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

Mayor Glover: Mr. Chairman, just a question. Should I request for the next Council Meeting that Mr. Pugh schedule a day off in order to be in attendance. Is there

anything that we can do to familiarize Mr. Walford and the rest of the Council with Mr. Pugh. I know his resume is attached.

Councilman Walford: Mr. Mayor, I think there's an issue that needs to be resolved that perhaps would be better solved off line. I'm sure you can get the information from Ms. Washington.

Councilman Shyne: You might want to meet with the Mayor in private and inform him on what the situation is.

Mayor Glover: Mr. Shyne, Mr. Walford, if there is an issue that needs to be resolved that the Council have may have been helpful before we postpone to inquire as to whether or not that issue has in fact been resolved. I think that this is a public setting and a public hearing, I don't mind those issues being aired here publicly. I think Mr. Pugh is comfortable with that as well, but I think whatever issue that the Council might have has anything to do with Mr. Washington at this point been addressed and resolved. And I think we're in a position to be able to provide documentation of that if that would make Mr. Walford and the rest of the Council more comfortable.

Councilwoman Bowman: Mr. Chairman, Mr. Mayor, I think that's something that maybe we shouldn't do in this setting, and I think it is something that can be rectified with Ms. Washington and move on.

Mayor Glover: Mr. Shyne, I learned long ago to listen to strong women, so I'm going to take that advice.

Councilman Shyne: I think you're wise in doing that. I was about to say take it from an old man, but I'll say take it from a matured man.

Councilman Walford: Which one of us are you talking about, you or me? I'll take the old one.

Councilman Shyne: Okay.

# Adding Legislation to the Agenda *The Clerk read the following:*

- 1. **Resolution No. 16 of 2008**: A Resolution declaring the official intent of the City of Shreveport to reimburse certain capital expenditures from proceeds of lease-purchase agreements and otherwise providing with respect thereto
- 2. Resolution No. 17 of 2008: A Resolution of making application to the State Bond Commission for approval of the issuance by the City of Shreveport of not to exceed Twenty-One Million Dollars (\$21,000,000) aggregate principal amount of General Obligation Refunding Bonds, Series 2008 in one or more series, for the purpose of refunding certain existing indebtedness of the city.
- 3. Resolution No. 18 of 2008: A Resolution of making application to the State Bond Commission for approval to hire professionals in conjunction with the issuance by the City of Shreveport of not to exceed Twenty-One Million Dollars (\$21,000,000) aggregate principal amount of General Obligation Refunding Bonds, Series 2008 in one or more series, for the purpose of refunding certain existing indebtedness of the city

Motion by Councilman <u>Long</u>, seconded by Councilman <u>Walford</u> to add Resolution No(s) 17, 18, and 19 of 2008. Motion approved by the following vote: Ayes: Councilmen Walford, Long Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Out of the Chamber: Councilman Lester. 1.

## Public Comments (Agenda Items to be Adopted)

Ms. Wanda Jackson: (5852 Dianne Street) I want to acknowledge my church, I'm a member of the Great (inaudible) Baptist Church where the Rev. Woodrow Kimble is my pastor. To the Mayor, this afternoon, and to you Councilman Shyne and other Council, people sitting at the Council. I am in regrets coming to you this afternoon. We've just been given a new General Manager, that was just appointed on yesterday.

Councilman Shyne: Tell them where you work.

Ms. Jackson: I work at the Shreveport Convention Center, and I fell prey to a supervisor who was willfully neglectful and dishonest. I had called in sick on January 8<sup>th</sup>. I came in on January 9<sup>th</sup> and submitted paperwork for that day. I received my paycheck on January 25<sup>th</sup> and found that I was not paid for those 8 hours sick time. When I went and talked with Personnel, they told me that my paperwork had not been submitted. When my manager came to work that morning, I asked him about it, and he told me he could not find my paperwork. At the end of that day, my paperwork was found in the trash can balled up where he just put it in the trash can rather than admit I guess to the Personnel Department that he forgot to actually turn in my paperwork. I have my check stub here also from where I was paid the less 8 hours on that particular paycheck. They have since then come back and paid me for that day, because he submitted a new request sheet for me to fill out on September 1<sup>st</sup> where I was given a separate check to be paid for those 8 hours. I stand before you today not because of the money, I stand before you because this is the Security Manager of the Shreveport Convention Center, we face small problems and issues like this all the time, and that's not brought to the Human Resource Department. You might be sitting back asking me did I go to Human Resources. I did not. We've had sexual harassments, thefts, alcohol brought on the premises. These things have been brought to the attention of our Human Resource Department. They fell on deaf ears and no actions were taken down there. We've contacted different Council People and asking that you all come forward and question the people that's down there, that's actually working at the Shreveport Convention Center, and we're faced with problems and issues of ethics that's really terrible down there. We have people that are in higher ranks that are just overlooking things if it happens to certain people. And I feel like I was one of those people. I felt like a victim of my supervisor, whose name is Allen (inaudible). He was just employed there way back in September. I did not follow any steps to alert even his supervisor because his credibility to me has been shot on several issues that's been brought before the Shreveport Convention Center and he's been submitted also to the Human Resource Department. And anything that he has taken part has also been swept under the rug. So, I implore you today as the Mayor mentioned weak links in different aspects, we implore you to come down and talk to the people, talk to the people that's representing your areas, in your districts or if you can, just come and talk to different people down there at the Shreveport Convention Center that actually work and maintain the facility, and that we carry out the work from day to day.

Councilman Shyne: Ms. Jackson, before you go, I want to make a couple of statements and I want to see if anyone has any questions that they want to ask you. And I appreciate what you're saying, because you called me, and we talked about it, and we talked about how our new governor, Governor Bobby Jindal is talking about ethics reform and calling a special session, and this is the Number 1 thing, and we sit here Council Members and Administration, and we have this kind of stuff going on right up under our nose. And these are the kinds of things we hear from the Governor that gives Louisiana a bad eye. And we do need to correct this. And I'm asking the - - - as a matter of fact, I'm begging the Administration and I'm not too proud to beg. But I'm begging the Administration to please, please look into this. Look into this. We all make mistakes. None of us are perfect. But when you make a mistake, be truthful enough to say I made a mistake. And Joyce I believe you heard that the other day didn't you? Somebody made a mistake and was wrong, and they well look, I made a mistake. Be truthful enough because we all make mistakes. And I know some of us sitting up in here thinking we are perfect, thinking we don't make any mistakes, that we always dot all the Is and cross all the Ts, and some of us probably think we don't even have to die to go to heaven. We're just going just like we are because we're so perfect. But let me tell you, that's not the truth. We all make mistakes. If you will admit that you have made a mistake, then lets correct it. But lets don't have somebody to suffer from a mistake that we made. So, I'm begging the Administration, and I'm not going to ask the Council at this point to look in on this, but please Mr. Mayor and Mr. Dark, would you all please look in because this is not good for the city. I mean, this is - - - we're going to - - -as a matter of fact, we are one of the great cities of the south. And Ms. Jackson, I applaud you for having the guts to come down here in public. Because I know how it is. If you're on a job, you've got people that will take, you know, they'll make you pay for this, because they'll harass you, and they'll do this. Cause I think the governor or somebody was talking about whistle blowing, how you can protect your whistle blowers. So, I applaud you, because you could - - - I mean, you could - - - you stand at a point of them writing you up and you leaving your job just for nothing. Because you're coming down telling the truth, because you agree with the governor that ethics is important. Be truthful. It wasn't a mistake that was made, but it was the cover up. And that's the part that's so wrong. And so to the Administration, I'm begging y'all please look into it. Lets weed those people out, because that's Shreveport, that's us. Anybody have any questions they want to ask Ms. Wanda. Ms. Wanda, if not, I appreciate you coming down and may God bless you.

Councilman Shyne: Ms. Christy Avery. Is Ms. Avery here? Ms. Avery, would you please come forward? Is the City Attorney here?

Mr. Dark: Terri's not in the audience.

Councilman Shyne: Chief, you might want to come up on the front row just for a minute. I think this is probably in relation Chief and the Administration, to Ms. Avery was here last time. And again Chief, if it's found that the officer made a mistake, if he overreacted, did something that he didn't have any business doing - - - I mean again, we all make mistakes. But the wrong part in it is when we try to have a cover up. And if they towed her car off wrongfully, lets admit it. Lets move on. Lets move on if the officer overreacted, then he's human. We all are human. We all do that from time to time. But lets at least admit that hey look, a mistake was made. Lets rectify this mistake, and lets move on. Ms. Avery would you please state your name and your address, and

you have three minutes unless you need some extra time, I think Councilwoman Bowman will probably give you an extra three minutes.

Ms. Christy Avery: (9714 Monticello) And before I begin, I do want to say that I stand here today not only angry, frustrated, but at the same time, I'm very much disappointed in my system because as I said, if this matter was not important to me, I would not have come forward and I'm sick right now, so if you don't respect me, respect the sick kids that I have at home to come here, because this matter has not been taken care of. When I came here on the 22<sup>nd</sup>, I presented my evidence, and I like I said, my baby was a month old, when I went before Mr. Dark. And for him to stand up and say that he lost my phone number shows me that he's not interested in my concern. My car was towed away. I got a letter from motor vehicle acknowledging that I had insurance. I do not know what went on that day because I was down having a baby. But I do know I had this temporary binder in my car and the officer did not look at it. I don't know anybody in high places standing before me, but I do know Jesus. So, this evidence here, if the law has changed, I also have proof to show that I purchased the insurance November 21<sup>st</sup>. The accident happened December 12<sup>th</sup>. My next payment was not due until 12/21. I got this first letter that told me I had a right to a hearing. If I had not gotten this letter, I'm the type of person, I'm a very busy person as well. I feed my 10 kids on my own. I don't get food stamps. So, if I would not have gotten this letter, I would not have wasted y'all's time. I got this final letter saying that if something is not done in 15 days, my car would be towed away. Where they're going to present a permit to sell my car or sell the parts on it. And I think it's not fair, because it only takes two seconds to lock me up and I don't think it should take this long for a phone call. I was not coming here to point a finger at anyone. I was simply coming here to say that somehow the mistake was made where like I say, I know people everyday present false information. But I was not presenting false information. My stuff was accurate and our city did not honor it, for whatever reason I don't know. I just got started receiving contact information yesterday, and no one still has gotten in touch with me. And you know the people in power, we look for y'all to support us. But Jesus said that he's coming back for the people in power, and if you don't do what's right. The bottom is coming to the top is not a good thing if you're not doing what's right. And I did not come here wrong, and it's like putting me in jail for a crime that I did not commit. I had insurance on this car, and I should have had the option to tow my vehicle myself. My car has been sitting down here all this time. It has frustrated me, I have been sick. Like I say, I have a two month old baby home sick. So, before I leave here today, if y'all going to take my car, I don't have any money to tie up in your system. Because I did not commit a wrong. But if y'all going to take my car, just say it and let it be done. And at least I know I will have done my part to come here to let y'all know that my car is important to me. That car has value to me, and I do not feel like I should get the run around because I don't know somebody that my matter could not have been taken care of like it was promised to me on the 22<sup>nd</sup> of last month, and still today, has not been taken care of. Now, y'all said I had a right to come here and speak, I have spoken. So, it's on y'all now.

Councilman Shyne: Just one minute Ms. Avery. Councilman Webb?

Councilman Webb: Yeah, I was going to ask the Chief a question when she got through speaking. If he could come up now? I'm familiar with this somewhat. I've been talking with her on the phone a few times, in fact I told her to come back down again

today. One of the things, when I was talking to her on the phone, the first time when she said they towed her car illegally, the thing that I know the air bags were deployed on both sides of the vehicle. Once proper protocol when you have an accident and your airbags are deployed and only one person driving the car, so the car is automatically going to be towed away I would think. So, I'm trying to figure out why is she saying it was illegally towed away, regardless of whether it had insurance or not.

Chief Whitehorn: If it's not drivable, then we do tow it. We try to give the owner the opportunity to have the two company of their choice tow it.

Councilman Webb: But it's against the law to drive a vehicle with airbags that have been deployed isn't it?

Chief Whitehorn: Those airbags would probably be in the way of driving, so we would not allow it to be driven from the scene. Unsafe vehicle.

Councilman Webb: Okay, thank you. I know I spoke with Mr. Dark.

Ms. Avery: Can I please speak for a moment here, because this thing - - -

Councilman Shyne: Just one minute Ms. Avery, let Councilman Webb - - -

Councilman Webb: I know I spoke with Mr. Dark about this a time or two, and I was under the impression he was going to call you and y'all were going to speak about a reduction, because that's what he had told me, was that he could help you with a reduction in the towing fee, is that not correct Mr. Dark?

Mr. Dark: That is correct, although at the last Council Meeting, you all asked Ms. Scott and the Chief to look into this, and so we bowed out of it. The issue is that Ms. Avery does not believe that her car was legally towed. The police and the City Attorney believe it was.

Ms. Avery: Can I please speak, because - - -

Councilman Shyne: Let me just say this before you say that Ms. Avery. I want to get the attention of the Attorney and Chief just one minute.

Councilman Webb: I'm through with my question right now, so go ahead.

Councilman Shyne: Okay, Chief I believe you stated and I believe it's not common practice that the officer will give you an opportunity to select who you want to tow your car away and where you want them to tow it to. Am I correct in assuming that?

Chief Whitehorn: That's correct.

Councilman Shyne: And the City Attorney, is that the law? I mean is that the law or is that common practice?

Chief Whitehorn: That's just a common practice. If we need to clear the roadway, often times we'll call for the closest wrecker, we don't car what preference they may have. Because we need to clear the artery.

Councilman Shyne: But you would also give that particular individual the opportunity to tell them where they want to tow it to, wouldn't you? I mean, wouldn't that be common courtesy and I would hope that all of our officers would exemplify common courtesy. You know if there is an accident and you do need to clear the roadway, and if this person did not have somebody in mind to come and tow that car, you know it seems like to me, being one of the great cities of the south, we would at least give our citizens an opportunity to say I want it towed to my house, or I want it towed to Johnny's Car Shop, or Joe's Garage, instead of the officer making the decision of where he wants to tow it to?

Chief Whitehorn: No sir, that's not the case. The wrecker driver if they feel they're going to get paid, they may get with the owner, and decide that they will take it to the house, but that's not our call.

Councilman Shyne: And if that's not the cause, I would ask my colleagues on the Council, I think we need to look into that.

Ms. Scott: Mr. Chairman, the car was impounded as a result of a motor vehicle accident involving Ms. Avery's son. The accident - - - the son was not able to provide proof to the officer investigating the accident that he had insurance currently in force. State law requires if the vehicle is involved in an accident, and they are not able, the driver of the vehicle is not able to provide proof of coverage, then the vehicle shall be impounded. So in this instance, the vehicle was impounded. This was not a case of preferential versus non preferential tow.

Councilman Shyne: Okay, this is why I asked you if this was law or if this was just a policy. I look at a difference between a policy and the law now. If that's what the law states, then I hope you will state that again, so Ms. Avery can hear you and I'll let her respond to that. But if it's a policy Chief, I would hope that our officers would be willing to work with the citizenry because you know after all is said and done, we are the ones who pay their salaries. You know if you work for the public, and when I was teaching school, I used to tell school teachers that all the time. You've got to understand we're here because of the kids. So, don't be so apt to put little Johnny out of school. Cause if you put too many of them out of school, then you're not going to have anybody to teach and then the crime rate is going to go up and everything, so I would even say with the officers, if you treat the public nice, when it comes time to pass a sales tax or a bond issue or whatever it to improve your salaries and all, then I don't have to get out and knock on the doors and work so hard. You know Chief, common courtesy just pays off. You know, we say we're Christians and we say we've got good values, but you know I guess I'm from the old school. My boys tell me that. I'm just always taught that niceness pays off. But now if it's the law, then sometimes the law isn't always nice.

Chief Whitehorn: And in this particular case, it was towed because of the law, but you asked about preference wreckers. We do out of courtesy allow the owners to have the wrecker of their choice. And that is more than not the norm. But there are times when we have to clear a roadway and we don't have that luxury.

Councilman Shyne: Right, right. But that I understand. But I would hope that even in clearing the roadway, whatever if we need to get together with out towing companies and tell them that look, let's at least give these people that's going to tow the cars an opportunity to let you tow it to maybe Joe's Garage where they're going to have it fixed or something like that. I don't really think that they would have any problem in doing that. I just hate the situation came about. But I would hope that you would get that to - - - you know maybe just mention that to your officers. And it just makes it so much better for the citizens when you've got a good working relationship. That's why I tell people in my neighborhood. You're the greatest crime fighters, not the police department. You know you're the greatest crime fighters. You've got to trust them, you've got to support them. If somebody is selling some dope or somebody is speeding or somebody is doing something wrong, you've got to call them and tell them. But trust has to be built both ways. Between the fine men and women of the Police Department that's anywhere and the citizens. So, I would hope that we would do our best in trying to

develop a positive working relationship between our citizens and the community. But if that's the law I understand what the law is. And then I'm going to let Ms. Avery speak. Ms. Avery you want to make a couple of comments?

Ms. Avery: What I would like to say is it's like me against the world because of the simple fact this temporary binder was in that car, and my son called me at the hospital in pain and told me that they do not honor it. I sent my oldest son up there with the permanent car, and they did not honor it. And I do not think it's fair to sit here and try to make it seem like that I don't understand that my car is towed. My car was towed because they told me I did not have insurance. They did not honor what I had. They turned my tags into Motor Vehicles. So if it was not the case, why did they do that? My son took the permanent thing up there cause I had the card, I was right around the block from my mama's house. And I called my oldest son on the phone, and I asked him, I said, "they're not honoring the temporary binder, so take this up there". The officer said well you still don't have insurance. Now right is right and wrong is wrong. And like I say, as Mr. Shyne said, everybody makes mistakes. And I was not coming here to put the blame on somebody, or to accuse anybody, but the fact is the fact. And my son would not come and tell me a lie. He showed the officer this, and he did not honor it. And my oldest son took the permanent one up there. I took this down to Mr. Dark and since I got this letter, I took all the information to Mr. Dark, and he was very blasé and had a 'don't care' attitude because he could have superseded the whole thing. He told me he was going to talk to Central Storage and have them to stop the fees. I have \$1100 worth of fees built up on this car now. He never talked to anyone. So why is everybody standing here making me seem like I don't know what I'm doing. It was a wrong that was committed. Everybody committed a wrong.

Councilman Shyne: Let me say this, and then I'll turn it back over to Councilman Webb and the Mayor if he wants to make a statement. I don't know where the bottom line is, but Mr. Mayor I would hope that we could look at this, and I know we're busy, but you have other people that work for you. If we could come up with some kind of compromise. I'd hate to see this young lady with 10 kids Chief, come out on the bad end of something because somebody overreacted or somebody made a mistake and they don't want to say I made a mistake, I overreacted. I should not have done that because if I do, then it might impact my career. I'm just a believer in - - - God has a way of taking care of you when you try to do the right thing. And Mr. Mayor, I don't know what the solution can be, but I would hope that we could take a look at it Mr. Mayor. And if you could assign somebody, because I don't have the authority to take a look at that. Let me go to Councilman Webb, and then if Joyce wants to make a statement.

Councilman Webb: Yeah, I agree that if there's a way we can - - - I know we spoke about trying to help her with her storage fees. And if you lost her phone number and didn't return her phone call, I don't know all the - - - if we dropped the ball in that respect, I would like to try to help her get her fees reduced and try to get the car towed to her house at a discounted rate or something. Whatever we could do to help her out that's possible.

Mr. Dark: Well, this is what Terri had emailed me earlier today about the situation. We can - - - we always are able to talk to Central Storage, and I've talked to Ms. Mallott out there and I believe so has Terri. When she came in originally, she owed somewhere close to \$500. I can't remember exactly what the number was, but

somewhere in that vicinity. That's what Ms. Mallott will take for the vehicle back. That the issue here is Ms. Avery does not believe she owes anything. And I don't know where the solution to that is. We can take her \$1100 according to Ms. Mallot and get it down to \$500, but wants it down to \$0, that's not within our power.

Councilman Webb: And I agree with that Ms. Avery. And that's why when I said when I talked with you on the phone earlier, there's no way you're going to get out without paying something.

Ms. Avery: I want to say - - - not to cut you off, I just want to say thank you for no help.

Councilman Shyne: Ms. Avery, just one minute.

Councilwoman Bowman: Ms. Avery.

Ms. Avery: I don't think it's right because my car was towed illegally. It was not right. If I broke the law, if I did not have insurance they would have took my car for real. And it's unfair that they can sit there and tell me that I got to pay. I've got 10 kids to feed. I don't get food stamps or welfare. I work to feed those kids myself. Ain't nobody helping me. And to tie money up in the system that was wrong for them to take my car when I had (insurance). Now if that's the case, I should not have had insurance. I paid \$153 to put insurance on that car. My next payment was not due until December 21<sup>st</sup>. So, for them to sit here and say I gotta pay, then just - - - I thank God for everything, let them keep the car. But God will deal with that.

Councilwoman Bowman: Ms. Avery.

Councilman Shyne: Just one minute Avery.

Councilwoman Bowman: Ms. Avery, I was just looking at your letter that you received from the Department of Public Safety and Corrections in reference to your insurance. And what they're basically saying Mr. Shyne, that she was insured at the time of the violation. And the only thing that they're saying is that the insurance information was not filed apparently by the insurance company within the three working days of the date of the violation. And it says the only thing that she owed the Department of Public Safety was the \$10. You know if she was put in this situation, surely - - - I remember this lady when she came before the last time. Something can be done and something should be done. I mean as far as that car being in storage. Does it work at all or?

Ms. Avery: I have not been able to have access to my car or anything because like I say, I got up off my bed and then all this hit me at once, and I've got to go get a clearance on the car, and it's just one circle after another one to do. No Ma'am, I don't know the condition of the car. I just simply said my car could have got towed, I could have took time to fix it back. That's the only thing. And see Body Snatchers could have towed my car for \$60. And I told Mr. Dark that day, I said, "Why should I pay \$150 when I had insurance? Why go get insurance if I gotta pay anyway"?

Councilwoman Bowman: Mr. Dark, are you saying that \$500 is the most that - - - Mr. Dark: That is what Central Storage has agreed to cut the charges to. Now please understand that the reason the car was towed by a wrecker chosen by the city was that in a situation where the wrecker driver cannot be assured he's going to get paid, he's going to go to Central Storage, because he knows he gets paid there. If you're in a situation where you have an accident, and you're with the vehicle and you're fortunate enough to have cash or a checkbook with you, the wrecker driver will take that and will

take the vehicle where you want to go. He will not take it to your house or any place like that unless he's absolutely sure he's going to get paid. And that's the issue right.

Ms. Avery: I had insurance. Why did it get towed in the first place? And when my son took the permanent card up there, why the officers did not honor it. So that's fine. We don't need the car. I don't have no money to pay the system. I pay for water (inaudible)

Councilwoman Bowman: Call her back Joe.

Councilman Shyne: Ms. Avery.

Ms. Avery: (Inaudible) I pay taxes. I can't pay the city for a crime I didn't commit. (Inaudible).

Councilman Shyne: Ms. Avery. Ms. Avery, can you just wait just for a couple of minutes?

Ms. Avery: (Inaudible) because it makes me look like I'm stupid here.

Councilman Shyne: Naw, naw, naw. That's not the point. Councilman Lester.

Ms. Avery: (Inaudible) I did not misunderstand here. I had insurance. Nobody can explain to me why the officer - - - didn't anybody even talk to the officer? Of course he's going to say what he thinks. I'm here telling y'all my side. Whose to protect me.

Councilman Lester: Ms. Avery.

Councilman Shyne: :Ms. Avery, just wait about three minutes. Sometimes it takes a little while to get to the bottom of the problem.

Ms. Avery: This has been since like - - - (inaudible), and I came - - -

Councilman Shyne: I know, I know, I know. It's kinda like cancer sometimes. It takes you a little while to get healed. Can you come back to the podium. And I think Councilman Lester has something he wants to say.

Ms. Avery: It's not right. It's not right. Why would I come down here if I didn't (inaudible) that I don't know what I'm talking about.

Councilman Lester: Ms. Avery, Ms. Avery, Ms. Avery. I

Councilman Shyne: Ms. Avery come back to the podium please.

Ms. Avery: Just keep the car. I don't even care.

Councilman Shyne: But come back to the podium please.

Councilman Lester: Mr. Chairman let me say this. What I would ask is that usually in instances where you have driver situations there is some type of Administrative Hearing. If not from the Administrative Law Judge, from someone at the City Court. I would ask that in light of the fact that Ms. Avery's car was insured and I think it's been proven by all parties that her car was insured, I would ask that the Mayor and the Police Chief and the City Attorney work with her to negate the fine. And I understand her concern. Cause certainly in times at which we live, things are tight all around. And she is working very hard, and she is obviously in a very emotional state. Understandably so. Not only did she have to deal with the loss of transportation and I'm sure it's affecting her ability to provide for family, she's also having to deal with the situation where a child of her was potentially in an accident, added to the fact that there are potentially some criminal and civil consequences that flow from that. What I would ask that the City Attorney speak with the folks at the prosecutors office if it's going down there or the Administrative Law Judge to ameliorate her fine and from our end as I appreciate it, the issue with Central Storage, that's an Administrative deal from the Administration standpoint, look at waiving those fees. I know that we open ourselves up to having a lot

of people coming down here, but that's what our job is to do, is to look at each one of these situations individually. And I think on the merits of this very unusual and very extreme scenario, if this calls for not only some leniency, but some mercy in this citizens case. So, I would ask that we reduce her fine and reduce the towing fees to \$0. Clearly, she did have insurance. Why the officer decided to move on, certainly we were not there and I'm not going to impute any ill will toward the officer. I don't want to do that.

Chief Whitehorn: And I was trying not to aggravate the situation as well, but we have to understand that you have to have that proof in the vehicle.

Councilman Lester: Clearly.

Chief Whitehorn: And based on the officers observation, it was not proof that the vehicle was insured.

Councilman Lester: And I'm not - - -

Chief Whitehorn: He was not there either to prove it and in fact had to send someone else apparently to try to bring another card that may or may not have been sufficient proof.

Councilman Lester: And Chief, I'm not imputing anything to the officer at all. I liken this situation to one of those instances where a person has been charged with the offense of driving under suspension or no driver's license on the person. They go to court, they obtain their license and the charge is amended to something lesser. Now, that has been given the dubious name as "The Lester Deal", but clearly I'm not the only person that has the situation happen to them for what it's worth. But we do that all the time in the system and so this is an instance that screams out for that. This is a citizen that certainly needs the help. Clearly I think something happened at the time. Either the card wasn't there. I think the officer handled himself properly. But as we stand here today, two things are clear. She did have insurance, and it was not proven at the time. Now, to the extent that she does have insurance, then I think that is there, I would just ask that we reduce her fine and give this lady her car back. At least that would be my request. I don't think that's going out of the realm of - - -.

Councilwoman Bowman: I agree with what Councilman Lester just said, and I just need to know if the process or procedure. I just spoke with the Clerk, Mr. Thompson, what we needed - - - to get a resolution or what we needed to do, or just advise that it is the general consensus of this Council that those fees are waived and that under her circumstances and in light of everything else that transpired, that we need to have mercy on her and let her have that car. I mean is it going to hurt the city really? No, it's not.

Chief Whitehorn: Even if I have to take it out of my budget, I don't know what that process is. I think the fee has to be paid. Now who pays it - - -?

Councilwoman Bowman: But they waive these things all the time, just on somebody's word and I know they do it. And if we call the company and let them know that this is the situation, this is what has transpired, and this is what we're requesting. Surely they can do that as much money as they make off the city.

Chief Whitehorn: I'm not sure.

Councilman Lester: Councilwoman Bowman, be careful. You might get the "Bowman Deal" named after you.

Councilwoman Bowman: I personally don't care. I'm here to do the right thing and what I feel in my heart its the right thing, and I don't think we treated her fairly

because she came before us once before. She discussed this situation right here and we gave her some information. I didn't give it to her, but it was told to her that it would be handled and somebody would look into it. And then here the charges everyday have been just certainly mounting, and I don't think it's fair.

Councilman Lester: It's not.

Councilman Walford: We're talking about waiving fees, not a fine right?

Councilwoman Bowman: No.

Councilman Walford: These are storage fees.

Councilman Lester: Mr. Chairman, I would ask that any fees that are associated with the storage that the citizen has to deal with be completely waived.

Councilman Walford: Right. That's where I was going.

Councilman Lester: Now, in terms of what happens if there is, because I haven't heard that there were any criminal consequences that flow from that, if there are I would think that she, her counsel would just - - - if she's charged with not having the proper identification in terms of insurance, I think the fact that she has documentation that shows she did, they will handle that at the court. Because at that point it becomes a proof issue whether she had it or she didn't. Clearly, she didn't have it at the time, but the car was insured, which is what we want to make sure and not have the confidence that the folks at the City Attorney's office and the City Court will take care of that. My issue and thank you for asking that, speaks strictly to the fees that are associated with towing and the storage that Councilwoman Bowman is absolutely correct. I mean for us to sit here and give here the impression that we were going to do something and we didn't, I think that's a bad situation No disrespect on anybody, but I just - - - my heart goes out to someone like that that's trying. I think a lot of times in situations like this, we like to jump up and down on people or people that have never had any problems in their life, it's easy for them to proselytize and say well you know, she should have had this or she should have had that. But no one knows what you have to deal with unless you have had a family member in that situation. And for some reason, in society we have this pious judgmental attitude as if we are suddenly perfect and we have never had a hair out of place or a shoe lace that's been out of place, and it bothers me. But that's neither here nor there. I'm just asking for mercy on behalf of this woman, and I think she certainly deserves it.

Councilman Shyne: Let me ask the City Attorney.

Councilwoman Bowman: Chief can do it.

Councilman Shyne: I'm sorry, Julie, I was really looking at Julie. And our distinguished Clerk. What do we need to do in order to answer Councilwoman Bowman's question. Do we need a resolution? Or do we need a - - -? What do we need?

Ms. Glass: I think what we determined a minute ago, at this point if the Council wanted to let the Administration know that it's Council's consensus and I guess they don't know that for sure unless you take a vote that you would like for the Administration to do what they can to have the entire amount of the fee removed. If the Administration then determined that they didn't have the authority to do that, could not do that, I guess you could come back with some kind of a resolution. It's difficult because there's really not - - - this is not a matter that comes directly to the Council under your jurisdiction. So we would have to figure out some way to word that. But hopefully, the Administration could handle it administratively.

Councilman Shyne: I understand but I'm kinda like what Councilwoman Bowman said. Whoever operates Central Storage, I think they probably are smart enough to and morally enough to say, well look we can do it this time. Because if one case is going to hurt their budget that much, then you know it's something wrong. And I would like to see us do that. And I'm going to ask Councilman Walford and we'll come to a vote. I'll ask you to - - -

Councilman Walford: I was going to ask you or the Administration, unless there is objection from the Council, please pursue waiving - - -

Councilman Webb: I have two concerns.

Councilman Shyne: Okay, lets hear Councilman Webb's concerns.

Councilman Webb: 1) we waive the fees, what becomes of the car? Are we going to tow it to her house? Will that be in violation of the 'inop vehicle' in the driveway? And then we have to tow it away again.

Councilman Shyne: No, lets let her handle that. Lets don't cross that bridge right now. Y'all understand what I'm saying? Lets go head on and do what we said we were going to do and then we'll cross Councilman Webb's bridge when we get there. We'll let her decide on what she wants. If she wants to take it to her house our her mother's house or her pastor's house or if she wants to take it to a garage.

Councilman Long: Mr. Chairman, would you like to make a statement so that we can move on to other business.

Councilman Shyne: That's what I'm saying. I'm waiting on a motion from - - -

Councilman Lester: No, we don't need a motion.

Councilman Long: Without objection, you just instruction the Administration.

Councilman Lester: Well I think, Mr. Chairman if I might?

Councilman Shyne: Now do I have you all - - - as I look over at the Administration, I see that look on Tom's face. I need y'all to stand behind me.

Mr. Dark: Mr. Shyne, basically we understand what you want to do. The only thing we're not sure about is whether Central Storage - - - because they've already paid the wrecker bill, whether we're going to have to pay that to them, we'll work that out with 'em.

Councilman Walford: That's what we want to hear.

Mr. Dark: Is that simple enough? We'll figure it out one way or the other. But your sense is Ms. Avery shouldn't have to pay anything except to tow her vehicle from Central Storage to wherever she wants to tow it. We'll make that happen.

Councilman Lester: Thank you.

Councilman Shyne: Okay, and will you have the City Attorney, Ms. Terri Scott who has a very compassionate look on her face, would you have her to communicate with Ms. Avery? Would that be fine. I know it, but I just want to make sure that Ms. Avery knows who will be communicating with her. Ms. Scott will be communicating with you, and again, Mr. Dark, I appreciate that from the bottom of my heart. And Council Members, I appreciate you all and Mike is ready to go on. Yesterday, he was ready to stop, stop, stop, so I'm ready to go head on too.

Mayor Glover: Mr. Chairman, before we leave this, I want Chief Whitehorn and Terri Scott to come back to the mic. For the record, Chief, Terri, did our folks act in good faith?

Chief Whitehorn: Yes sir.

Mayor Glover: Did they follow the law?

Chief Whitehorn: Yes sir.

Mayor Glover: I just want to make sure that, that absolutely is established and there's nothing at this point that you all have determined that our folks did wrong with regards to this situation.

Chief Whitehorn: That was the point that I was trying to make earlier. I didn't want to aggravate the situation, but based on the review that we did, we did nothing improper.

Mayor Glover: Thank you Chief, thank you Terri.

Councilman Shyne: Chief, before you and Terri sit down, and I guess the Mayor is right, because all of them are our folks. Because I think your department, your department represent all of us, not only the Administration. And you know my point of view would be a lot of times, you don'to do anything wrong, but you know, did you show a little compassion. You know I think in the long run, I don't know, maybe I'm wrong, maybe I've been around a long time, but I've always seen people who show a little compassion always come up on the best end. You know sometimes you can follow the law and in Driver's Ed, I used to tell kids, I'd say now you know somebody coming down the street on your side of the road, don't you stay there because you say you're in the right. You get in the ditch. So, I'm saying that to say this, that sometimes you can be right, but it wiser to show a little compassion, and I think you understand what I'm saying. I mean, this is the thing that makes us good. I don't think any of us indicated that our fine department did anything wrong. But you know you go an extra mile, you lift yourself up a little bit better when you show some compassion. So, I think that's all that we're saying and that's all that we are asking our officers to do. We're not saying that they did anything wrong. Chief thank you all and I think we're ready to move on.

Ms. Pat Spigner: 2110 Chase Bent) And I'm here to speak for the Southern Hills Homeowners Association, in opposition to BAC-11-08. This Is a zoning case that is to change the zoning at a facility, a business in Southern Hills, and I'm asking the Council to deny this zoning change and to allow us to keep the quality of life that we are fighting so hard to maintain in Southern Hills. So, the Southern Hills Homeowners Association, as I said is working very hard to improve the quality of life. We don't believe this zoning change will make that happen. There are residents that's behind this business. A lot of the residents is to get out from the area that live and have to come by this shopping center where this particular case is. Also there are apartments across the street and we just, based on the police records that we've obtained, there have been about --- lets see, 33 police related activities at that business in 2007. I didn't get what they are so far this year. But there've been instances like fights, large fights on the parking lots involving firearms. This is (inaudible) intoxicated people, motor vehicles, accidents and all kinds of activity there, large crowds of people, and we don't feel like that this change in the zoning would be appropriate for that particular location.

Councilman Webb: I don't have any questions for Ms. Spigener. We spoke on the phone earlier this week in reference to this case, and I think we're both on the same page. Thank you for coming down.

Ms. Spigener: Okay and we have several residents that's here from the area if you wish to ask them - - -.

Councilman Shyne: I'm going to ask Mr. Charles - - - Charles is this?

Mr. Walters: Walters.

Councilman Shyne: Well, okay I'm going to ask Mr. Charles Walters to come forward, but I think Councilman Walford is going to ask - - -.

Councilman Walford: I just had a brief comment. Ms. Spigener, things have changed now.

Ms. Spigener: His hair?

Councilman Shyne: Monty, you are - - -

Councilman Walford: She agrees with me, see?

Councilman Shyne: Mr. Mayor, you stay out of this too.

Ms. Spigener: I'm glad Ms. Bowman is here. There always needs to be a woman on the Council to keep things calm.

Councilwoman Bowman: You're so right.

Mr. Charles Walters: (5350 Quad J Road) Mr. Chairman, do you wish me to present my case now, or wait until such time as - - -.

Councilman Shyne: Naw, if you don't present it now, it's going to be too late. Mr. Walters: I'm here to represent Mike Johnson and Randy Coleman, they're the

owners of this establishment. I represent them in almost every case they've ever had come before the City Council or the ZBA. Daiquiri Express No. 2 has been opened since 2000. It was originally zoned as a lounge. In the process of growth, they did have problems over the years. I know former Councilman Spigener was up here. She said these problems existed. In fact, we asked the Association on numerous times if they ever had a problem with us, we're a member of the association, please let us know. Three years ago, they did that. There was a problem with the special that they ran on Thursday night. The crowd just got too large. We made the changes fully necessary to stop the problem. During this time and since that time, we've done many steps to correct our problems. We have hired private secure, personal security actually. Actually not a security firm, but people that we hired to kinda watch and check for IDs at the door and things of that nature. Since that time and since our ZBA meeting that we attended nearly four weeks ago, we were enlightened by the ZBA about some things. We went into situations that we start calling private security firms. And we actually have hired a private security firm to represent our location. We had two officers to come in on Thursday, Friday and Saturday. Very difficult to do. I know that the ZBA has talked about possibly making this a mandate for a location such as ours. It's going to be difficult for that to be done simply because there are several security firms that will not allow the security to represent a lounge/tavern atmosphere. Now, what has happened since the new smoking ban has come into place, not all but some restaurants who cater to an adult atmosphere. I've had problems with the smoking ban. They've lost the customer base and it's gone to other places. I'm not saying anybody's at fault in this city, but there are many restaurants that still allow smoking that we've lost our business to. What we want to do is try to get that type of business back. What's happened is the clientele that's come to our establishment's become younger, more roucous crowd. Business is as good as it's ever been, but it's not the type of crowd that we wish to change. But at the same time, we don't want anybody put out of business by eliminating that crowd and not getting the crowd that we used to have. Now I am concerned that Ms. Spigener said there's 33 events. And she hasn't told you that many of those events, we initiated the calls for. We called for the people to come out and say, we've got someone

too rowdy. We've got something going on. So some of those calls have been made by us. But also I'm ashamed of is the fact that we've been down to the Shreveport Police Department numerous occasions to get a listing of these calls, and we're told that we can't do it without a subpoena. How did anybody else get those records. We don't even know if those records are truthful that are being told here today. What we try to do is to get that atmosphere back that we enjoy, catering to groups 25-50 year old. They're the ones that came in and we didn't have as much trouble during the time. As our situation changed, so did escalate the problem. But we have asked the association on numerous attempts, if you have a problem, come let us know, we'll do whatever we can to solve the problem. We have an open door policy. So, that's what we're doing, and we're asking to go back to our original zoning as a lounge, so that we can go ahead and compete in the business atmosphere that we had before, and to compete against those restaurants that are not following the smoking ban. And that's what I'm here for today. Councilman Shyne, and one quick statement. And the ZBA has already allowed location similar to ours right down the street at the Southern Hills Association didn't come attend, and allowed to go through unanimously. We want the same opportunity as that location.

Councilman Webb: I did want to say that Ms. Spigener was representing the Neighborhood Association, not the Business Association. I wanted you to - - -

Mr. Walters: I humbly apologize for that. Again, I don't know if the Business Association is here. I do know she made the statement about homes. There are many business up and down that is a commercialized highway. Naturally there are businesses that she talks about or homes, there is a frontage road that naturally you all are aware of that's on the other side of Mansfield Road, and those apartments on the other side of that, those homes are more than 700 feet away.

Councilman Webb: I wanted to ask you how many security did y'all hire for your establishment.

Mr. Walters: We actually have three of our own private people who are not post certified, but we do have two that are post certified.

Councilman Webb: And what time do they come on duty?

Mr. Walters: I couldn't answer that question, Mike Johnson would have to answer that. I know it's Thursday, Friday and Saturday. That's the night the crowds tend to congregate and tend to get more people to come into your business.

Councilman Webb: Who keeps the people in line with obeying the law the rest of the time?

Mr. Walters: You know that's a tough situation. We're not the people who have to force. We don't have guns and people to arrest. If they come into our establishment and they obey the criteria by which we have as our business, we don't have a problem with them. If they get rowdy, if they get carried away, if they do something that they are not supposed to do that's against the law, that's required of us to call the police, and it's for them to handle the situation forward.

Councilman Webb: What is your rule about the patio?

Mr. Walters: What we did with the patio was, with the advent of the smoking ban, we were trying to do something that would not allow us to lose all our customers, we built a patio. Mike Johnson had numerous conversations with Charles Kirkland's office with regards to the patio, and there was miscommunications on how and what could occur on that patio. Once we found out exactly what we can and cannot allow on the patio, they

ceased and desisted allowing anything on that patio other than food items, and I do know that someone come through the other day, snapped a picture of someone that was - - - actually the manager of the location, evidently he must have thought they had a beer or something in their hand. We have that bottle and we have pictures of them that very same night, and it's a root beer bottle. He doesn't drink. It was root beer. But nothing goes on that patio other than smoking. But if we get the zoning, that patio will be removed, there will not be a need for it. There will be no patio. There will be no congregation of smokers outside the building. In addition, we're going to be closed on Sunday. To become a seven day operation now down to six. I don't understand why there's such a fight. We're not going to decrease or increase our business. It's going to be the same for about the same amount of income, it's just going to be from a different clientele, cause we're going to try and cater back to that adult clientele that we previously had.

Councilman Webb: All I know, I've looked at your establishment and I personally don't feel and a lot of other people I've talked to think that this zoning is going to change your clientele. For what y'all have inside and the type of establishment it is, it's not going to change in my opinion.

Mr. Walters: Councilman Webb, have you spent days, weeks in that establishment over the course of the 7-8 years?

Councilman Webb: No, but I've set out in the parking lot on numerous occasions and watched the clientele go in and out and - - -

Mr. Walters: And the clientele can (inaudible)

Councilman Webb: Nights and weekends. And my personal opinion is that the location of your type of establishment is in the wrong place period. Y'all need to be outside of a shopping village somewhere in a free standing building somewhere.

Mr. Walters: We've been there for nearly 8 years.

Councilman Webb: I understand that.

Mr. Walters: And nobody's (inaudible) problems until like I said we've had problems that the Southern Hills Business Association came to us one time, and we solved that problem. I'm assuming that you're probably aware of that. And if they have had a problem, if they come to us and they say, hey we've got a problem with this. If it's something that needs to be solved, then we'll solve it. That's what we do. But I think it's unjustified - - - all throughout this city, there are locations very similar to ours. All throughout this city. And to sit here in the ZBA grant another establishment exactly the same philosophy as ours right down the street, grant it and allow them to change their zoning to the type that's required, and then we're not allowed, that's unfair. How do I compete?

Councilman Webb: Well the vote I think on that committee was unanimous to deny you the application. Was it not?

Mr. Walters: No sir. It was initially 3-3, and then there was a second vote and it became 4-2.

Councilman Webb: Okay, it was 4-3 to deny the application. Did they give you - --?

Mr. Walters: No, it was 3-3. And then they had a re-vote and it became 4-2. Councilman Webb: Okay, well the vote was the final vote was 4-3 to deny. And what reasoning did they give you for denying the application?

Mr. Walters: Basically and I can't remember the gentleman's name, he's an attorney sat on the left side, I can't recall. He went into a good speech with regards to they didn't want to fall into the situation that we had all these restaurants coming back and trying to rezone this lounge to pull their business back. The fact is most restaurants enjoyed an increase in business. Restaurants, there are several different types. You have one that caters to complete families, you have others that cater to adults. We happen to be the one that caters to adults and we've had this problem. And the restaurants such as the Trejos or something, they've had their loss of income in certain areas, but they gained it with the food. But it's a shame, and I don't smoke and I don't drink. Have had maybe one drink a year in my life. The fact is that all of a sudden these people have become bad people. And they're not. There are certain people within that realm that create problems and it's up to us to eliminate them from being the problem in our establishment. And we're trying to do that. And every location those problems. And if they're good enough in trying to spend the money as we have, they eliminate those problems also.

Councilman Webb: Mr. Chairman, I have no more questions.

Mayor Glover: Mr. Chairman, I have one more question. Sir, you made reference that there are restaurants around town that are violating the smoking ban?

Mr. Walters: Yes sir, there are.

Mayor Glover: Can you provide that information?

Mr. Walters: Well it's a shame there are three different law enforcement agencies within this jurisdiction which are supposed to enforce the laws of our state. If they go and also you have people within the Administration that are supposed to go out and check these locations to make sure they meet, and I'm not saying the Mayor's organization, but maybe through the ZBA or such, they should be going out and checking these locations. If there are restaurants with ash trays on their bars or on their tables, they're violating the smoking ban. If they go in those establishments on a Friday and Saturday night, and they see smoking, they should be writing tickets. That's what they should be doing. Smoking bans are very difficult things to enforce, but it can be enforced. If it's going to be enforced against us, we don't allow smoking. We've shut it down. But if we do that, they all should do that. The problem that we have is the state has passed a peace meal piece of legislation. How dare they say that people in truck stops and people in casinos -- - who cares if they die, but we're going to keep the people in restaurants and all the other establishments and in these chambers, well they need to be more healthy, so we'll keep the smoking ban in affect for them. If this was an all inclusive state-wide smoking ban, we as many as other locations like us wouldn't have these problems. But we have these problems because it's peace meal legislation. And all we're doing is asking for the opportunity to draw back the clientele we had, help (inaudible) to eliminate the clientele we now have, because we don't want it, but we've got to have it to survive. But you know if we could pull that upper age clientele that we're looking for that are less rowdy, we'd eliminate all problems, or most all problems. But in this case even now without this zoning, we're doing the things necessary to eliminate whatever problems that have been made aware to us. Like I said almost every location that's a bar or tavern or a restaurant that has upper clientele that we have, have an occasional call. And we've had a situation where we've had like she said, maybe 33 calls. We can't even verify that. We can't get the information. But we know for a fact that the location down the street that received unanimous approval from the ZBA has had more problems than us. Now why can that

be? Could it be a politic (inaudible)? I believe there is. I'm not going to mention names, but it's unfair that they give it to one and not to other, and we're right down the street, and that's all we're asking for.

Mayor Glover: You've either got to be a politician or a lawyer, because - - -

Mr. Walters: I'm neither, but I've actually - - -

Mayor Glover: Because you've not answered the question that I asked you.

Mr. Walters: Provided the information? No sir.

Councilman Shyne: Now Mr. Mayor, I wish you would say a lawyer instead of a politician, because it might include some of us.

Mayor Glover: I said both Mr. Shyne.

Councilman Shyne: I know, but leave us out.

Mr. Walters: Have we reported that? No sir. You want me to report it? I'd be glad to.

Mayor Glover: If there are - - - I know customers who have gone into restaurants and discovered or encountered other people who were smoking in that restaurant and have taken it upon themselves to make sure that the proper folks know about that, so that those situations can be investigated and addressed. You have stated that your particular situation is at a competitive disadvantage because there are restaurants that you compete against that are allowing people to smoke. And because of that fact, it's hurting your business, and you're seeking this change. And so, as a citizen who is concerned about the health of people in general and as Mayor of the City of Shreveport who wants to enforce the law, I'm asking if you have a list of those particular restaurants that are in fact violating that ban, so that appropriate action can be taken against them. I'm not asking you to name them here in open Council. You're welcome to do that if you choose to. If you want to write them down on the back of sheet of paper and hand it to me before you leave, or give it to the Chief, I'm just asking do you have a list of restaurants that you'd be willing to provide?

Mr. Walters: I'd be glad to provide that to Vice. We've worked with Shreveport Vice Department.

Mayor Glover: You don't have to take - - - you can give it to me.

Mr. Walters: Okay, secondly let me address something you stated. Not only are we at a competitive disadvantage with restaurants, but we have always asked for an adult clientele. We don't have a minor patronage. We've always been 21 and above from the day we opened in 2000 to the time we became a restaurant.

Mayor Glover: But you're a restaurant now aren't you?

Mr. Walter: Correct. But our clientele was such it was a complete mix of people who came in and ate some food and things of that nature, and had a drink. And what's happened is we've lost that clientele because they no longer can smoke. And what's happened another - - - a younger, more raucous crowd has started to take their place. We want to try to remove that and bring in the crowd that we used to have and believe it or not, a lot of people smoke to go to bars, or go to restaurants, but they've been eliminated from doing that. Fine. But we're asking for the opportunity to draw the crowd back we used to have, and continue business in a more (inaudible) manner and to do things the right way.

Mayor Glover: I can't speak to those issues sir, but you mentioned that you knew of restaurants that were violating the smoking ban. As Mayor of The City of Shreveport,

I'm asking that you assists us in effectively enforcing that, in providing us with the information that you might have.

Mr. Walters: I'll provide that to you after the meeting.

Mayor Glover: Thank you Mr. Chairman, Members of the Council.

Mr. David Cox: (President, Caddo Parish Commission) I just passed a card up to ask all those who are here in opposition of this to please stand up, and if you want to ask me questions, I'll be more than happy, because I've been at that establishment and called the police myself many times on that establishment. But at this time, I would like to turn behind me and ask all those who are here in opposition to this to please stand up.

Councilman Shyne: Alright in order to be fair, all those in favor stand. Okay, that's 3 and what was it about 50 in opposition? Mike you count pretty good. You know how to play an eight-string guitar. Okay, thank y'all.

Mr. Cox: That's all I really wanted to do. Like I said, I've been in that establishment many times. For what they're asking to do, is not right. It just needs to be turned down. Simply put.

Mr. Walters: Of those people that stood up in defiance of what we're asking for, how many of them live within 3-400 feet of our establishment? None. It's unfair that people from far and wide stand up because they're members of the association, or members of congregations that consider this a moral issue. This ain't a moral issue. It's a use of property. That's the issue here, and I just ask that you remember that.

Councilman Webb: Before you leave, I would like to say that that's an unfair statement. They may not live 300 feet from they establishment, but they do live in the community. They buy groceries, in the community, they buy gas in the community, they pass that place everyday and it is a part of their quality of life. Everything that goes on in Southern Hills.

Councilman Walters: Councilman Webb, I can appreciate that. However, 33 calls that they've said to initiate 33. And that's what they've said. That's one every two weeks. Of which several of those, we've made simply because someone got to rowdy, or someone was in the parking lot screeching tires. It's not as bad as it's made out to be.

Councilman Webb: I would say maybe a year from now, if things really get cleaned up, I'd be happy to take another look at it.

Councilman Shyne: Alright, and just let me say this. We are only, and I'm sorry, not to you. And we only let people clap who are from Councilman Webb's district. Other than that, we don't generally let you clap in the Council. He's kind of special to us.

Ms. Lydia Spencer: (340 Berkshire Pl) And unfortunately I'm not from the district where everybody claps. I wish to thank Mr. Mayor, Councilman Shyne and Members of the City Council for taking the time to hear what I have to say today. This is concerning a zoning change in our neighborhood. When my husband and I, Robert Spencer, bought our property and built our house, the present zoning ordinance was in effect. Over a period of time, we and our neighbors improved our property under the conditions of the present zoning restrictions. This enabled our neighborhood to remain residential in tone and it protected our property values. Now there is a family that lives on East Ridge Drive who is asking for this zoning to be changed. We are not saying that the Bilderbacks do not have a hobby. We're not saying that they shouldn't have their workshop. But what we are saying is that the request to change the zoning to 820 square feet for a workshop is excessive and that the present zoning requirement or restriction of

450 square feet is adequate. In my letter to the Metropolitan Planning Commission, I mentioned that I worked for 50 years for architectural firms and I am familiar with adaptability of buildings to building cites. I understand feasibility and special requirements. To further clarify, first the adaptability of a building to a building site because of the irregular shape of the building by property be proposed construction is not in line or does not lend itself to the building site. In so far as feasibility I think you all know that when the economic development group from the City of Shreveport solicits and competes for new businesses, and industry in the area, one of their strongest premises is that Shreveport is a city of beautiful residential areas. And to change this from the zoning ordinance, opens a window of opportunity for many of these large workshops to be built which in the future could easily become because they are so large, commercial ventures. Third, in regards to space requirements, I reiterate that a crest of 820 square feet for a workshop is excessive and that the present zoning restriction of 450 square feet is adequate for a workshop in a residential area. Any questions?

Councilman Shyne: Just before you go to your seat, and I'm going to turn this over to Councilman Long, you said that you had been working for 50 years, you must have started when you were five because you don't look like you worked that long.

Ms. Spencer: No, I'm 82.

Councilman Shyne: Oh my God. Lets give her a hand please.

Ms. Spencer: We got to clap after all.

Councilman Shyne: And that's beautiful. And I believe you have two people sitting there who might be a little jealous of how well you look at 82.

Ms. Spencer: Oh well, that's might kind. I noticed in all of these proceedings what a kind man you are, and he is very kind. And I noticed that all of you handled everything with a good deal of empathy, follow the law, but you deal with it with empathy and I'm really proud of that. This is the first time I've ever been down here, and I feel very privileged being here today. Thank you all.

Councilman Shyne: Thank you and eat your hearts out?

Ms. Jan Harter: (349 Berkshire) I'm here to speak in opposition to the proposed structure. I reside at 349 Berkshire and own my home. The applicants reside at 6312 East Ridge Drive which is adjacent to my home. Our homes are located in a district zoned R-1-D. It is an urban one resident district. Applicant has requested they be permitted to build a 1650 square foot structure. It is a carport and an workshop, just not a workshop. Detached from their residence. I respectfully oppose the proposed structure because 1) it exceeds the allowances of R-1-D zoning which limits such structures to 450 square feet. It is not in keeping with the design and nature of our neighborhood. It appears that there may have been deficiencies in the notice of the proposed structure provided to the affected homeowners. 4) it is not within the out building setback limits. 5) It will negatively impact mine and fellow neighbors peaceful enjoyment of our residential property, and 6) signatures of neighbors have been filed in opposition to the proposed structure. The other homes and properties in this residential one district do not have 1650 square foot structures. Whether for use as a garage or workshop or a place for their cars. My home is in close proximity to the applicants property. I have a swimming pool in my back yard and I enjoy the privacy, tranquility, peace and quiet of my residential neighborhood and enjoy these same qualities while in my back yard. Rather when gardening, lounging or swimming in my pool. My bedroom in my home is located

such that it is in very close proximity to the applicants proposed structure. Applicants proposed structure and it's use will deprive me and the neighborhood of the peaceful enjoyment of our residential properties. For all of the foregoing reasons, I respectfully oppose applicants proposed structure and ask that this Council deny this request.

Mr. Francis Colicchio: (6325 East Ridge) I have no objections to the proposed construction of a carport and a workshop. Dr. Bilderback already has an existing workshop in his garage. I have never heard of any noise from there. The equipment, woodworking equipment would make (inaudible) noise. The building would not be seen from the street. The carport will hide the workshop. And if you have any kind of noise, it would be from a saw sawing wood, and that's only for seconds. I don't see any reason why we have any objection to the property, but everybody has their own viewpoint. As far as anything other than the workshop, Dr. Bilderback happens to be a surgeon. And I don't believe he's going to jeopardize his patients or his own career by handling grease or whatever else some people think he might be doing. I don't believe that there's any real problem. (Inaudible) shows that the property structures would be off the property line, and we feel the boundaries of the existing (inaudible) construction having spent 50 years with 30 years with General Motors and the last 10 years (inaudible) low income people with Shreveport Urban Renaissance Corporation and the Queensborough Neighborhood Association. So (inaudible) relative to setbacks of within balance. (Inaudible) to have this proposal accepted.

Mr. Karl Bilderback: (6312 East Ridge) We have a desire to build a structure on our property. We have two needs really. We've got a lot of woodworking equipment that I've been using in my garage for the last ten years on a regular basis. And I've been getting increasing suggestions from my wife that that needs to leave the garage. I need someplace else to put it, and so we've come on the inclination to build a workshop. We also have four kids. One of them is driving right now, within the next three years two more are going to be driving and so we're going to have a lot more vehicles on our property and we need a place to put them that's covered. And so, what we've come on is a need for a covered parking area. What we're looking at is a carport and also a detached workshop. We'd considered making this an attached structure, but the property doesn't well lend itself. The roof lines are not conducive to a detachment and so at the suggestion of our architect, have come on to a detached structure that you can see here. This is our existing house right here. East Ridge Drive is 80 feet to the right here. There's an 80 foot setback where we are, there's another 60 feet or so back here and there's a large concrete pad that's been there sine the house was built. This is an outline of where the carport would be. And this is the workshop and it's also large enough to be a two car garage. The whole thing together amounts to about 1600 square feet. The limit today is 450 square feet for an out building. We clearly don't have enough room within that 450 square feet to park more than two cars, much less the five that we'll end up with in the next three years. Also Ms. Harter said her house was in close proximity. If you'll look here and we can move this back this way, this is the end of our property. Her house from the edge of the building site here to the closest corner on her house according to (inaudible) is 150 yards. That's a considerable distance. And I would be willing to bet over the last 10 years, that I've been doing woodworking in my garage, that she's never heard me one time. The neighbors who live 15 feet over here have signed our petition as all of the rest of the neighbors whose property is in contact with our property, that they

have no opposition to this structure. Also we've contacted most of the neighbors that we could get a hold of that Ms. Harter had gotten on her petition with what I believe to be very incorrect information. And we've had them sign our petition indicating that once they've seen our plans and seen that the architectural drawings that they had no opposition to this. If I could show you the plans themselves, this was drawn up by an architect. The structure has a brick veneer. It has a composition roof. The bricks are already picked out that match our house. The composition roof matches our house. This structure (inaudible) people who didn't already know, would be thought to have been built at the same time as the house. We've gone to great pains to try to make this an aesthetic building and something that would not detract from the local property values, but hopefully improve them. I have no interest in draining the property values in the area. I live there obviously, and I don't want to see them go down. So I don't think that that really should be an issue. There is no new equipment that will be in this building. There is no overly loud equipment. Certainly nothing that I haven't been using over the last ten years. As far as the over building, it was brought up in how the property is not conducive, I think if you look at the initial pictures that we had up there, the building fits nicely on our property. We have a great view out of our back porch, and we want to keep that view. And I can show you the view out of the back porch here. The building would be way off to the side here and we would maintain our view down the property. I've got an image here. This is the same layout. Here's our house, here's East Ridge Drive over here. The property comes to a "V" right here and here's Ms. Harter's house. This yellow line here represents the closest distance between our two houses. 150 yards. Quite a distance. Certainly we've never been a noise problem, and I don't intend to be a noise problem. And the neighbors who are 15 or 20 feet on the other side of where this building would be have no objections to this building or anything that we plan to do in it.

Councilman Long: Dr. Bilderback you're telling me that all your adjoining neighbors have no problem with this?

Dr. Bilderback: One exception. Mr. Matthews died right before Christmas, and we don't have his signature. We have everybody else signature whose property adjoins ours.

Councilman Shyne: Since the Mayor made reference to strong women just a few minutes ago, would you like for your strong wife to come up and have a word or two. I'm like the Mayor. I always respect strong women, and I'm saying that because I think my wife is probably watching.

Ms. Laura Bilderback: (6312 East Ridge) You know it was pretty impressive when the case earlier came up and you all saw that you needed to make concessions even though you all are going to have to really figure out a way to help that lady who needed it. I know we have to look at the ordinances are written for a reason to protect the communities, but you have to look at the spirit in which the ordinance was written and I think if a property owner shows a good reason to go beyond the 425 square feet that they should really be considered. What I wanted to show you, I want you to see our house as well. Because right here is our present garage. It is 20 X 26. And we cannot fit two full size vehicles inside that garage. It's two SUVs do not fit in garages that were built 50 years ago. So essentially that is a one car garage. By allowing us to build this detached garage/workshop and carport, you are doing two things. 1) We can use that as a parking for one vehicle or we can expand our home under one roof allowing that garage that exist

under the main roof of that house, we have 2500 square feet in our home. We are one of the smallest homes on East Ridge Drive. There are some fabulous homes on East Ridge and Querbes and Berkshire. And if that garage, if we had a place to put our other things, and park, we would be able to expand our living area in that home. Second of all, if we did expand that, the property would then have an official garage. The garage then would be 25 instead of 20. I believe the length of it is 28. That would house two Suburbans, and since those are the biggest vehicles on the road, I would just say they would house two Suburbans. Plus at the end it would give five or six feet for the woodworking equipment or whatever hobbies someone wanted could keep there and wouldn't have to move every time they wanted to park in a garage. So what I'm proposing is that is the garage of the 21<sup>st</sup> century. And should we close in that garage attached to the house, this property will lose no value, because it will 1) have covered parking, but 2) have a garage and storage. So, I think considering that, you would say by approving this structure, will keep our East Ridge homes with the amenities that we would want people to have who live in this area.

Mr. Donald Crow: (346 Berkshire) I might help to set this straight a little bit. All of us in our neighborhood got a notice from the Zoning Commission that there was a neighbor that was requesting a variance in zoning. And there was a petition that begun to circulate in our neighborhood opposing this variance. Ms. Spencer brought the petition to my attention and wanted me to sign it in opposition. And I indicated to her that I was a little disinclined to sign a petition for something that I didn't know anything about . I didn't know the Bilderbacks, I wasn't aware of what they were going to build, hadn't seen any plans. So, I told Ms. Spencer that what I would do, that I would go and introduce myself to the Bilderbacks and ask them what they were going to build and if they had plans to take a look at and then if I opposed it, I would return and sign the petition. So I did that. I went down one Sunday afternoon and introduced myself, and they had all their architectural drawings of the plans that y'all just saw. And it appeared to me that what they were going to do if anything improve the value of the property. It would enhance the neighborhood. And so I refused to sign the petition. The ordinance that was written apparently was written in the 50s when most of those homes were being built. 450 foot detached building was probably adequate at the time. I do woodworking myself. The machines that you use are bulky and they're big, and they're hard to move around. And if you have very many of them, you pretty much cannot have them in a 450 structure, and you certainly couldn't house them in a 450 structure with several automobiles. It was my understanding after talking to the Bilderbacks that their children were beginning to drive, that they had more vehicles, they needed more room. The plans to me looked as if they would enhance the property, so I agreed to come down here and give my opinion. I think that they should be allowed to build whatever they want to on the property as long as it doesn't disturb the neighbors. I don't think this in anyway would disturb the neighbors. I think if anything, it would enhance the property. So I think you should allow them to the structure on their property.

Ms. Helen Brown: (1151 Pine Island Road) I'm currently doing some architectural work for Jan Harter at her house. And she asked me just to give a professional opinion when she was getting involved in this project. So I did look at the plans, and looked at the requirements under the zoning and the comments that I made to her, I'm going to make to you. This applicant has a right to build whatever they can

within certain rules and regulations. We have rules and regulations and from an architectural standpoint, they are not within two of the guidelines. And one of the guidelines being the square footage of 450 square feet in that zoning. It is significantly over that in both structures, the carport and the workshop both exceed, separately as well as combined, significantly. Almost four times the amount. The second rule that isn't being adhered to is the outback building setback line. And I think if you were given a plat of the property, you'd see that the workshop is completely passed that setback line and the (inaudible) carport is halfway passed that setback line. I think that since they are working with an architect, there is an absolute wonderful opportunity for compromise by either and or adding on to the existing structure, relocating the buildings, possibly downsizing the buildings so that a compromise could be reached, they could have the workshop and the parking facilities they need without going against the rules and regulations that were set up for this zoning in this residential area. Thank you.

Ms. Harter: As far as I know, and I know some of the people do live across the street and real close to them or behind them is the way the ditch runs that our property hits back that way. Anyway, there are some neighbors who are not in agreement with them that do live right across from them.

CONSENT AGENDA LEGISLATION
TO INTRODUCE RESOLUTIONS AND ORDINANCES

**RESOLUTIONS:** None. **ORDINANCES:** None.

TO ADOPT RESOLUTIONS AND ORDINANCES

**RESOLUTIONS:** 

*The Clerk read the following:* 

#### **RESOLUTION NO. 3 of 2008**

A RESOLUTION AUTHORIZING JAMES ERIC YAWN, LOCATED AT 9017 MITCHAM ST., TO CONNECT TO THE WATER & SEWER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, James Eric Yawn has agreed to secure all permits and inspections required by the Shreveport Comprehensive Building Code. Said party having submitted a petition for annexation to the City of Shreveport, and having agreed to fully comply with the regulations of the City of Shreveport in connection with said property, all as set forth in Section 94-1, et. Seq., of the Shreveport City Code. Said request and petition are attached hereto.

BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that James Eric Yawn, be authorized to connect the structure, located at 9017 Mitcham St., to the water & sewer system of the City of Shreveport.

BE IT FURTHER RESOLVED that if any provisions or items of this resolution or the application thereof are held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications, and to this end, the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that resolutions or parts thereof in conflict herewith are hereby repealed.

Read by title and as read, motion by Councilman <u>Wooley</u>, seconded by Councilman <u>Long</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Long Wooley, Webb, and Shyne. 5. Nays: Councilmen Walford and Bowman. 2.

### **RESOLUTION NO. 4 of 2008**

A RESOLUTION AUTHORIZING BRIAN BUILDERS, L.L.C., LOCATED AT 9059 COTTAGE RIDGE DR., TO CONNECT TO THE WATER & SEWER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, Brian Builders, L.L.C. has agreed to secure all permits and inspections required by the Shreveport Comprehensive Building Code. Said party having submitted a petition for annexation to the City of Shreveport, and having agreed to fully comply with the regulations of the City of Shreveport in connection with said property, all as set forth in Section 94-1, et. Seq., of the Shreveport City Code. Said request and petition are attached hereto.

BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that Brian Builders, L.L.C., be authorized to connect the structure, located at 9059 Cottage Ridge Dr., to the water & sewer system of the City of Shreveport.

BE IT FURTHER RESOLVED that if any provisions or items of this resolution or the application thereof are held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications, and to this end, the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that resolutions or parts thereof in conflict herewith are hereby repealed.

### **RESOLUTION NO. 5 of 2008**

A RESOLUTION AUTHORIZING BRIAN BUILDERS, L.L.C., LOCATED AT 9063 COTTAGE RIDGE DR., TO CONNECT TO THE WATER & SEWER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, Brian Builders, L.L.C. has agreed to secure all permits and inspections required by the Shreveport Comprehensive Building Code. Said party having submitted a petition for annexation to the City of Shreveport, and having agreed to fully comply with the regulations of the City of Shreveport in connection with said property, all as set forth in Section 94-1, et. Seq., of the Shreveport City Code. Said request and petition are attached hereto.

BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that Brian Builders, L.L.C., be authorized to connect the structure, located at 9063 Cottage Ridge Dr., to the water & sewer system of the City of Shreveport.

BE IT FURTHER RESOLVED that if any provisions or items of this resolution or the application thereof are held invalid, such invalidity shall not affect other

provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications, and to this end, the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that resolutions or parts thereof in conflict herewith are hereby repealed.

### **RESOLUTION NO. 6 of 2008**

A RESOLUTION AUTHORIZING BRIAN BUILDERS, L.L.C., LOCATED AT 9067 COTTAGE RIDGE DR., TO CONNECT TO THE WATER & SEWER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, Brian Builders, L.L.C. has agreed to secure all permits and inspections required by the Shreveport Comprehensive Building Code. Said party having submitted a petition for annexation to the City of Shreveport, and having agreed to fully comply with the regulations of the City of Shreveport in connection with said property, all as set forth in Section 94-1, et. Seq., of the Shreveport City Code. Said request and petition are attached hereto.

BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that Brian Builders, L.L.C., be authorized to connect the structure, located at 9067 Cottage Ridge Dr., to the water & sewer system of the City of Shreveport.

BE IT FURTHER RESOLVED that if any provisions or items of this resolution or the application thereof are held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications, and to this end, the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that resolutions or parts thereof in conflict herewith are hereby repealed.

### **RESOLUTION NO. 7 of 2008**

A RESOLUTION AUTHORIZING BRIAN BUILDERS, L.L.C., LOCATED AT 9068 COTTAGE RIDGE DR., TO CONNECT TO THE WATER & SEWER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, Brian Builders, L.L.C. has agreed to secure all permits and inspections required by the Shreveport Comprehensive Building Code. Said party having submitted a petition for annexation to the City of Shreveport, and having agreed to fully comply with the regulations of the City of Shreveport in connection with said property, all as set forth in Section 94-1, et. Seq., of the Shreveport City Code. Said request and petition are attached hereto.

BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that Brian Builders, L.L.C., be authorized to connect the structure, located at 9068 Cottage Ridge Dr., to the water & sewer system of the City of Shreveport.

BE IT FURTHER RESOLVED that if any provisions or items of this resolution or the application thereof are held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the

invalid provisions, items or applications, and to this end, the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that resolutions or parts thereof in conflict herewith are hereby repealed

### **RESOLUTION NO. 8 of 2008**

# A RESOLUTION AUTHORIZING ANNA-KAY COLE STEWART, LOCATED AT 238 OLYMPIA DR., TO CONNECT TO THE WATER & SEWER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, Anna-Kay Cole Stewart has agreed to secure all permits and inspections required by the Shreveport Comprehensive Building Code. Said party having submitted a petition for annexation to the City of Shreveport, and having agreed to fully comply with the regulations of the City of Shreveport in connection with said property, all as set forth in Section 94-1, et. Seq., of the Shreveport City Code. Said request and petition are attached hereto.

BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that Anna-Kay Cole Stewart, be authorized to connect the structure, located at 238 Olympia Dr., to the water & sewer system of the City of Shreveport.

BE IT FURTHER RESOLVED that if any provisions or items of this resolution or the application thereof are held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications, and to this end, the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that resolutions or parts thereof in conflict herewith are hereby repealed.

Read by title and as read, motion by Councilman <u>Wooley</u>, seconded by Councilman <u>Lester</u> to adopt Resolution No(s) 4, 5, 6, 7, and 8 of 2008. Motion approved by the following vote: Ayes: Councilmen Lester, Long Wooley, Webb, and Shyne. 5. Nays: Councilmen Walford and Bowman. 2.

#### **RESOLUTION NO. 9 of 2008**

A RESOLUTION AUTHORIZING CARRIE J. ROBINSON, LOCATED AT 5932 BUNCOMBE RD., TO CONNECT TO THE WATER & SEWER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, Carrie J. Robinson has agreed to secure all permits and inspections required by the Shreveport Comprehensive Building Code. Said party having submitted a petition for annexation to the City of Shreveport, and having agreed to fully comply with the regulations of the City of Shreveport in connection with said property, all as set forth in Section 94-1, et. Seq., of the Shreveport City Code. Said request and petition are attached hereto.

BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that Carrie J. Robinson be authorized to connect the proposed

building to be located at 5932 Buncombe Rd. to the water & sewer system of the City of Shreveport.

BE IT FURTHER RESOLVED that if any provisions or items of this resolution or the application thereof are held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications, and to this end, the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that resolutions or parts thereof in conflict herewith are hereby repealed.

Read by title and as read, motion by Councilman Shyne, seconded by Councilman Wooley to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

### **RESOLUTION NO. 10 OF 2008**

A RESOLUTION REJECTING BIDS RECEIVED FOR IFB #08-004, CARULITE (OZONE DESTRUCT MEDIA) AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, six (6) bids were received as a result of solicitations for Carulite (Ozone Destruct Media), IFB #08-004; and;

WHEREAS, the City has rejected these bids in accordance with La R.S. 38:2214 B, because a new bid will be issued in the near future with a change in the specifications;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that the bids received on IFB #08-004 be rejected;

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable;

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby declared repealed.

Read by title and as read, motion by Councilman <u>Long</u>, seconded by Councilman <u>Wooley</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

**ORDINANCES:** None.

REGULAR AGENDA LEGISLATION
RESOLUTIONS ON SECOND READING AND FINAL PASSAGE OR WHICH
REQUIRE ONLY ONE READING

*The Clerk read the following:* 

**RESOLUTION NO. 2 OF 2008** 

## A RESOLUTION AUTHORIZING THE USE OF CERTAIN CITY-OWNED EQUIPMENT BY SCI-PORT DISCOVERY CENTER AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, Sci-Port Discovery Center is a city-owned facility managed and operated by Sci-Port Discovery Center, a Louisiana non-profit corporation; and

WHEREAS, Sci-Port Discovery Center is hosting its bi-annual fund raiser on February 28, 2008. This event helps to raise funds to support the efforts of Sci-Port to provide science initiatives and programs for families and the development of curriculum-based science; and

WHEREAS, the City desires to participate in programs which, directly benefit the citizens of the City by participating in wholesome activities which serve to benefit health if the entire community; and

WHEREAS, Sci-Port Discovery Center, desires to provide a benefit and fund raiser to support its educational efforts for people of all ages to explore and actively engage in the world of mathematics, science and technology by hosting its biannual fund raiser, the Mad Scientist Ball on February 28, 2008; and

WHEREAS, Sci-Port Discovery Center has requested the use of certain city owned equipment during the event; and

WHEREAS, the programs and services provided by Sci-Port Discovery Center provide to benefit the education of the community which serves a public benefit and serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that the use of equipment by Sci-Port Discovery Center on February 26-28, 2008 during the Mad Scientist Ball is hereby approved.

BE IT FURTHER RESOLVED that the use of the equipment by Sci-Port Discovery Center is conditioned upon the execution of an indemnity and hold harmless agreement by Sci-Port Discovery Center in favor of the City of Shreveport in a form acceptable to the Office of the City Attorney.

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or application, and to this end, the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

Read by title and as read, motion by Councilman <u>Walford</u>, seconded by Councilman <u>Wooley</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

### **RESOLUTION NO. 11 OF 2008**

A RESOLUTION TO ALLOW THE CADDO PARISH SCHOOL BOARD TO USE THE GOVERNMENTAL CHAMBER ON FEBRUARY 28, 2008 AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

By: Councilwoman Joyce Bowman

**WHEREAS,** the Shreveport City Council and the Caddo Parish Commission jointly adopted by resolution the rule that the Government Plaza Chamber's use shall be limited to meetings by the Shreveport City Council, the Caddo Parish Commission, the Metropolitan Planning Commission, the Shreveport Metropolitan Zoning Board of Appeals, Louisiana House of Representatives and the Louisiana State Senate; and

WHEREAS, the legislation also established a Government Plaza Chamber Standing Committee to oversee the operation of the Chamber and adjoining conference rooms and to make recommendations to the Shreveport City Council and the Caddo Parish Commission relative to the use and operation of the chamber and conference rooms; and

**WHEREAS,** the Caddo Parish School Board requested to use the Governmental Chamber on February 28, 2008; and

WHEREAS, the Caddo Parish Commission has no objection to this use.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Shreveport, in due, legal and regular session convened, to allow the Caddo Parish School Board to use the Governmental Chamber on February 28, 2008, for a one time use.

**BE IT FURTHER RESOLVED,** that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance which can be given effect without the invalid provisions, items, or applications; and to this end, the provisions of this ordinance are hereby declared severable.

**BE IT FURTHER RESOLVED** that all resolutions or parts thereof in conflict herewith are hereby repealed.

Read by title and as read, motion by Councilman <u>Webb</u>, seconded by Councilman <u>Bowman</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

### **RESOLUTION NO. 12 OF 2008**

A RESOLUTION TO ALLOW THE CORONER'S OFFICE TO USE THE GOVERNMENTAL CHAMBER ON MARCH 24, 2008 AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

**WHEREAS**, the Shreveport City Council and the Caddo Parish Commission jointly adopted by resolution the rule that the Government Plaza Chamber's use shall be limited to meetings by the Shreveport City Council, the Caddo Parish Commission, the Metropolitan Planning Commission, the Shreveport Metropolitan Zoning Board of Appeals, Louisiana House of Representatives and the Louisiana State Senate; and

WHEREAS, the legislation also established a Government Plaza Chamber Standing Committee to oversee the operation of the Chamber and adjoining conference rooms and to make recommendations to the Shreveport City Council and the Caddo Parish Commission relative to the use and operation of the chamber and conference rooms; and

**WHEREAS,** the Coroner's Office requested to use the Governmental Chamber on March 24, 2008 at 12:00 p.m. for the swearing in ceremony; and

WHEREAS, the Caddo Parish Commission has no objection to this use.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Shreveport, in due, legal and regular session convened, to allow the Coroner's Office requested to use the Governmental Chamber on March 24, 2008 at 12:00 p.m. for the swearing in ceremony, for a one time use.

**BE IT FURTHER RESOLVED,** that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance which can be given effect without the invalid provisions, items, or applications; and to this end, the provisions of this ordinance are hereby declared severable.

**BE IT FURTHER RESOLVED** that all resolutions or parts thereof in conflict herewith are hereby repealed.

Read by title and as read, motion by Councilman <u>Bowman</u>, seconded by Councilman <u>Long</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

### **RESOLUTION NO. 13 OF 2008**

A RESOLUTION ACCEPTING DEDICATION FOR BERTON DRIVE IN KFC NORTH MARKET COMMERCIAL SUBDIVISON AND OTHERWISE PROVIDING WITH RESPECT THERETO.

**BE IT RESOLVED** by the City Council of the City of Shreveport, in due, legal, and regular session convened, that the dedication for Barton Drive in Section 23, (T18N-R14W), Caddo Parish, Louisiana, and as shown on the plats attached hereto and made a part hereof, be and the same is hereby accepted as dedicated to the public for public use in the City of Shreveport.

**BE IT FURTHER RESOLVED** that the original plat reflecting the dedication for Barton Drive be recorded in the official records of the Clerk of Court for Caddo Parish, Louisiana.

**BE IT FURTHER RESOLVED** that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items or applications and to this end the provisions of this ordinance are hereby declared severable.

**BE IT FURTHER RESOLVED** that all ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

Read by title and as read, motion by Councilman <u>Lester</u>, seconded by Councilman <u>Long</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

**RESOLUTION NUMBER 14 OF 2008** 

A RESOLUTION DECLARING THE CITY'S INTEREST IN CERTAIN ADJUDICATED PROPERTIES AS SURPLUS AND OTHERWISE PROVIDING WITH RESPECT THERETO.

**WHEREAS**, there are numerous parcels of property which have been adjudicated to the City of Shreveport and Caddo Parish for non-payment of ad valorem taxes; and **WHEREAS**, the City of Shreveport has entered into an intergovernmental agreement with Caddo Parish under which Caddo Parish will undertake to sell or donate said properties as authorized in R.S. 33:4720.11 or R.S. 33:4720.25; and

**WHEREAS**, pursuant to Section 26-294 of the Code of Ordinances, the city's interests in said properties can be sold after the City Council declares them to be surplus; and **WHEREAS**, the purchasing agent has inquired of all city departments regarding the property described herein and has not received any indication that it is needed for city purposes.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Shreveport in due, regular and legal session convened that the following described properties are hereby declared surplus:

Lot 37, Exposition Hts. & ½ Adj Abnd alley Geographic Number 171410-029-003700

Municipal Address: 3016 Alabama Avenue

Council District "G"

Lots 17, 18 & 20, Blk I, Re-Plat Geographic Number 171410-065-006000

Forest Glen Subdivision

Municipal Address: 3641 Hardy Street

Council District "G"

Lot 18, Amanda Collins Subdivision Geographic Number 171414-103-001800

Municipal Address: 1651 Cox Street

Council District "B"

Lots 26 & 27, East Cedar Grove Subdivision Geographic Number 171425-108-004800

Municipal Address: 572 East 72<sup>nd</sup> Street

Council District "D"

Lots 28 & 29, East Cedar Grove Subdivision Geographic Number 171425-108-004900

Municipal Address: 584 East 72<sup>nd</sup> Street

Council District "D"

**BE IT FURTHER RESOLVED** that if any provision or item of this resolution or the application thereof be held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items, or applications, and to this end the provisions of this resolution are hereby declared severable.

**BE IT FURTHER RESOLVED** that all resolutions or parts thereof in conflict herewith including but not limited to Resolution Number 122 of 2006 are hereby repealed.

Read by title and as read, motion by Councilman <u>Walford</u>, seconded by Councilman <u>Wooley</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

*The Clerk read the following:* 

6. Resolution No. 16 of 2008: A Resolution declaring the official intent of the City of Shreveport to reimburse certain capital expenditures from proceeds of lease-purchase agreements and otherwise providing with respect thereto

### Read by title and as read, motion by Councilman <u>Lester</u>, seconded by Councilman <u>Long</u> to adopt.

Councilman Long: What is this?

Councilwoman Bowman: I want to know what it is.

Ms. Glass: Mr. Chairman, I can probably speak to that. Each year the City does lease purchase agreements wherein we borrow money basically for vehicles and equipment. Under the IRS regulations, you have to declare your intent to reimburse yourself because throughout the year, we may go ahead and purchase equipment before we get the proceeds of the lease purchase agreements. So this is saying that we will reimburse ourselves for those purchases when we do the lease purchase agreements later in the year.

Councilman Long: Alright I'm good for that.

Councilman Shyne: Is everybody comfortable with the information?

Councilman Webb: What are we purchasing?

Ms. Glass: It's various vehicles and equipment. It's the equipment financing package. Mr. Dark can probably speak to that more specifically.

Mr. Dark: It's mostly vehicles and equipment for DOS, and Police and Fire and SPAR.

Substitute motion by Councilman <u>Bowman</u>, seconded by Councilman <u>Webb</u> to postpone until February 25, 2008. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

#### **RESOLUTION NO. 17 OF 2008**

A RESOLUTION OF MAKING APPLICATION TO THE STATE BOND COMMISSION FOR APPROVAL OF THE ISSUANCE BY THE CITY OF SHREVEPORT OF NOT TO EXCEED TWENTY-ONE MILLION DOLLARS (\$21,000,000) AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2008 IN ONE OR MORE SERIES, FOR THE PURPOSE OF REFUNDING CERTAIN EXISTING INDEBTEDNESS OF THE CITY.

WHEREAS, the City of Shreveport, State of Louisiana (the "City") has previously issued its \$25,000,000 General Obligation Bonds, Series 1998 and \$11,145,000 General Obligation Refunding Bonds, Series 1998 (the "Prior Bonds"). The \$25,000,000 Series 1998 Bonds were used to finance the construction, acquisition and improving works of public improvement of the City including roads, streets, drainage, parks and recreation facilities and public facilities including river-front park extension, and other public purposes, and acquiring the necessary land, equipment and furnishings therefore, all as hereinafter provided. The \$11,145,000 Series 1998 Bonds were used for advance refunding certain maturities of the Issuer's outstanding General Obligation Refunding Bonds Series 1991; and

WHEREAS, in order to realize interest cost savings and in accordance with the provisions of Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as

amended (the "Act") and other constitutional and statutory authority, the City of Shreveport, Louisiana (the "Issuer"), governed by the City Council (the "Governing Authority"), intends to proceed with the issuance of not exceeding \$21,000,000 aggregate principal amount of General Obligation Refunding Bonds, Series 2008 of the City (the "Bonds"), to be issued in one or more series to effectuate the refunding of all or part of the Prior Bonds,

### NOW THEREFORE, BE IT RESOLVED by the Mayor and the Council of the City, acting as the governing authority of the City, that:

**SECTION 1.** Preliminary Approval of Bonds. For the purpose of providing funds to refund the Prior Bonds in accordance with the provisions of the Act, the City intends to proceed with the issuance of the Bonds. The details of the Bonds shall be established by subsequent ordinance adopted by this governing authority. The proceeds of the Bonds will be used to effectuate the refunding of the Prior Bonds and pay costs of issuance. The Bonds shall be general obligations of the City as issuer of the Bonds, payable from and secured by ad valorem taxes levied and collected in the manner provided by Article VI, Section 33 of the Louisiana Constitution of 1974. The Bonds shall be issued in an amount not to exceed \$21,000,000 and shall bear interest at a rate of not to exceed six percent (6%) per annum, maturing no later than ten (10) years from the date thereof and shall be issued under the authority previously cited in this section.

**SECTION 2.** <u>State Bond Commission Application</u>. This governing authority hereby authorizes and directs that application be formally made to the State Bond Commission, Baton Rouge, Louisiana for final approval of the issuance of the Bonds by the City within the parameters set forth above.

**SECTION 3.** <u>Publication</u>. This resolution shall be published in The Shreveport Times, a daily newspaper published in Shreveport, Caddo Parish, Louisiana, and that, as provided by the Act, for a period of thirty (30) days from the date of such publication, any person in interest may contest the legality of this Resolution and the Bonds to be issued pursuant hereto and the provisions securing the Bonds. After the said thirty days, no person may have any right of action to contest the validity of the Bonds or the provisions of this Resolution, and all of the Bonds shall be conclusively presumed to be legal, and no court shall thereafter have authority to inquire into such matters.

**SECTION 4.** <u>SBC Swap Approval</u>. Issuer understands, agrees and binds itself, its successors and assigns, to full and continuing compliance with the "SBC Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc", adopted by the SBC on July 20, 2006, as to the borrowings and other matters subject to the approvals, including subsequent application and approval under said Policy of the implementation or use of any swaps or other products or enhancements covered thereby.

### Read by title and as read, motion by Councilman <u>Lester</u>, seconded by Councilman Long to adopt.

Councilman Wooley: I appreciate Mr. Weems taking the time earlier, as a matter of fact, Mr. Weems, would you just come up? He took his time to make sure we fully understood exactly what was going on and I do appreciate you doing that. But for the benefit of the Council who may or may not have gotten with you, and just so we'll be on the record, could you explain exactly what's taking place here?

Mr. Weems: Yes, I appreciate the opportunity to be here. My name is Ron Weems. I'm part of the Bond team selected by the Mayor. Just before the Washington Mardi Gras, and I'm thinking (inaudible), I went up on the 23<sup>rd</sup>, but it was probably the 20<sup>th</sup> or so, Bill Boles and myself received a proposal or suggestion from Charlie (inaudible) with Stephens, Inc., as to a refunding opportunity available to the city. For those of you who do not know Mr. (inaudible) and Stephens have served as underwriter for quite a number of the issuances for the city over the last eight years. Bill and I looked at the proposal, thought it was a good idea because it projected over \$700,000, if I probably recall, it was about \$750,000 worth of net present based savings. That is savings to the city after the cost of issuance of the proposed refunding of these two issues. Under the way the rules the Bond Commission work, in order for you to get it onto the next agenda, you've got to file it 30 days in advance. So a request for Bond Commission approval which this requires, had to be filed with the Bond Commission by the 22<sup>nd</sup>. The day before all of us left to go to Washington, to Mardi Gras. We put together an incomplete application based upon information that was provided to us by Stephens, Inc. We sent that information off to the financial advisor for the city. The next week when we got back, we started working on additional information to determine the feasibility and whether or not it was financially attractive for the City to refund these two issues. One of them matured on February 1, the second matured on March 1. The first funding date for that refunding proposal would be April 1 because of the timing of approval by the State Bonding Commission and the timing to get it through the Council Meeting here. We actually had one we could have filed a resolution two weeks ago, but did not because of the application was incomplete. The information contained therein was incomplete. Bill Boles, myself and Calvin Grigsby continued to evaluate the proposal, knew that the market was moving in the right direction for it to be an excellent time to save the city some money. Last Thursday I think it was, it was January 6<sup>th</sup>, we got an update at our request, we received an updated proposal from Stephens, which project that the net present value savings were approximately \$1,000,000 for the city, and that present value is after the cost of issuance. We again sent the information to Calvin Grigsby and Associates to evaluate that information, and then we continued to work on updating and completing what was an incomplete application at the Bond Commission. In order to comply with their rules, we had to have a complete application by Monday of this week, which was the 11<sup>th</sup>. I actually finished reviewing that and Bill did about 1:00 on Monday afternoon. We emailed it to the Commission, and I'm still answering questions even as of today, clarification of certain things in that application, and I think thus far successfully answered all their questions. We emailed it to the Commission on Monday afternoon about 1:00 which was February 11<sup>th</sup>. Shortly thereafter I emailed for the first time a completed application to Tom Dark and Liz Washington along with all the other members of the Bond Team as well as to Art Thompson as Clerk of the Council. For those of you if you look, I don't know Art if you distributed that entire filing to the Council, but the reason this was on such a fast track, it was because of the opinion of the financial advisor and the folks from Stephens is that the market is in a very unusual situation where there was that much economic advantage to the city and it may not last very long. If we had not filed on the 22<sup>nd</sup> and we needed a complete application to get it on the Bond Commission agenda for the 21<sup>st</sup> of February, we would have lost another 30 days. We could have waited another two or three weeks and had a complete application

and then sent in and then had it on the March agenda, to fund them on the first of May. But because of the feeling in the financial community that the market is very volatile, we frankly fast tracked the application. And as I say, it first went to the Administration in it's final form Monday afternoon, just as it did to Art Thompson. I've talked to - - - I apologize to Councilman Shyne and Councilman Webb. I've tried to talk to each of you individually, when y'all left the room, I actually went outside to try to catch you as well, but and not to explain this in great detail. But we're on a fast track. The Bond Team was trying to do what's right for the city. I understand there may be some issues here, but if you do not pass this resolution today, we get bumped to March, which means it'll be May 1<sup>st</sup> and we may lose some of the economic advantage that I'm being told by the financial folks is probably going to be around for a short time, but there's no certainty that the market is not going to turn and go another way. Because it'll get priced actually once we're in the process of selecting through an RFP, the Administration is, and underwriter to assist the city on this issue. That RFP is to be responded to by Friday. That recommendation and a second resolution that we hear two weeks from now actually says an RFP process to identify an underwriter basically. The short way to look at that is a competitive way to price this refunding issue or to get the best deal for the city as opposed to the way it has been done in the past of a negotiating deal. That was the process that the Mayor wanted to follow through on. So that's been incorporated within this whole process. To the extent had I had an application finished before yesterday, I would have sent it to Art as I did when it was completed. There will be more questions to be answered, we will go to the Bond Commission, assuming you pass and approve this resolution, we will go to the Bond Commission hearing on the 21<sup>st</sup>, answer those questions and then we must come back to you the Council for a final resolution after a selection of an underwriter and after the refunding issue is put into the market place and determining a bid, actually made on the deal, a final deal of funding will actually be made and come back to you. That's what we did on the Water and Sewer issue, the \$26,000,000 issue that was just funded in February. The first resolution that is analogous to this resolution was actually introduced I believe in late October or early November. Went to the Bond Commission, got the approvals, went to the market place, got it priced, came back to you for final approval with the rates and that sort of thing. That question was raised why 6%? The Bond issue that was funded for Water and Sewer, \$26,000,000 went to the Bond Commission at not to exceed 7% interest for a term of 25 years. This on is not to exceed 6% interest for 10 years. We lawyers do that so they don't have to go back to the Bond Commission again. Because ultimately you as the issuer are the final authority as to whether this deal goes down or not. Not the Bond Commission. Their process is to regulate - - - the Bond Commission is to regulate all the (inaudible) debt that's within the capacity to pay and does it make economic sense for the city to do this. The analysis we have thus far says as of last Thursday, it was about \$1,000,000 economic advantage for the city after the cost of issuance. Over \$100,000 in the first year alone, saving the city over \$1,000,000 over the next 10 years. So, that was why we rushed on a very tight schedule to make it all happen. So that the window of opportunity hopefully will not get away. We can't tell you it won't. I believe these issues that are being refunded are - - - the information should have been in Tom's memo to you. I believe it was a 5 and a 4 ½. Had it gone out last Thursday, it would have gone out at a rate a little bit less than 3.2% interest. So a very dramatic improvement and a good deal for the city,

and I think well within the guidelines for reissues - - - refunding of issues like this which at a minimum require an advantage of about 3% improvement overall and in this case a savings, and in this case, it's closer to 5%. Now that could increase or decrease depending on what happens in the market. But you're going to get another shot at this before it's actually final. Determination is to pull the trigger. We're just trying to get the regulatory process in place and behind us at the state, but it doesn't cost us another 30 days.

Councilman Shyne: Ron, just before I think we got a couple of questions before that. We've got a gentleman that's sitting right there in the middle with his cap on. You can't wear your cap in here. Listen - - - look, if you - - -. Hold it, hold it, now if you got an excuse - - -

Citizen: I gave you a (inaudible)

Councilman Shyne: If you got an excuse, go outside tell the Chief or the officers and if it's a valid excuse, then you come back in. If not, you don't wear your cap in the Council.

Chief Whitehorn: I asked him to take it off, he said he had a doctor's excuse.

Councilman Shyne: If you got a doctors excuse, show it. If you don't go get it and then come back.

Citizen: Councilman Shyne I (inaudible)

Councilman Shyne: Councilman Lester and I've talked. If you've got a doctor's excuse, go get it. Hey, take him out Chief. Go get your doctor's excuse and bring it back. You don't sit up in the Council Chamber with your cap on.

Citizen: If I were Indian and I had on a turban (inaudible).

Councilman Shyne: We're not going to tolerate this. I'm sorry Ron, Mike?

Councilman Long: You almost made me forget my question. So I was doing some quick math here trying to determine - - - I have about 15 years in the residential mortgages and lending business and I am a finance major from college, but - -

Mr. Weems: Don't pencil whip me please.

Councilman Long: Well, I was just trying to look and Tom might be able to answer this question too. I am looking right now I guess at page, this page of our (inaudible) essentially page 4. Is this the existing debt as it exist right now?

Mr. Weems: Yes sir.

Councilman Long: Okay, so it's right now the total debt service through 2018 amounts to about \$23,917,000 okay?

Mr. Weems: Correct.

Councilman Long: And what I'm hearing Ron and y'all correct if my math is wrong here, what y'all are proposing right now is a situation where the net savings just based on the re-fi is going to be well from about \$917 to what they're showing on the next page that's labeled items 3 and 4 about \$23,374,000. Okay? So, I guess my question is the savings as it exist right now is about a half million dollars based on that math right there. Plus you go into your transaction cost and that kinda reduces that so I guess my point is I don't see where we're saving a whole lot of money here for all this exercise.

Mr. Weems: The information I verified this information prior to the Council Meeting with both the FA (the financial advisor) and Charlie (inaudible) with Stephens. They reaffirmed that based on the numbers last Thursday, the net present value to the city

means the cash flow over the next ten years, and that cash flow discounted I think it was a little less than 5% of the present value, would be about \$1,000,000 after the cost of issuance. So in other words (inaudible) based on what again they're the financial folks, I'm the lawyer.

Councilman Long: What I'm hearing is maybe some of this data is already outdated, is that what I'm hearing?

Mr. Dark: Well I think the point - - - these deals normally are done if you can save a minimum of 3%, we prefer closer to 5. The percentage on this one is 4.8-4.9 depending on whose math you use. But if you take the \$970,000 savings on an amount of what we owe, a little over nineteen, that comes out to roughly 4.8-4.9%. This is within the realm of the kind of refinancing that we do. And this on as Mr. Weems said, has not been done before because frankly the market is a little unusual right now.

Councilman Long: So essentially, what you're asking for right now is to get the legislative aspect (inaudible) market turns like you want it to turn, y'all can then pull the trigger.

Mr. Weems: If it stays as it is right now, yeah. If it stays that way. This Council must first pass/approve the final pricing of this deal. What we're trying to do is get the regulatory process out of the way at the Bond Commission, so that we don't have to go back again to them. That's all the first resolution does. The employment of counsel is not to be voted on today, or the professionals is not to be voted on today, but what you're authorizing me to do is to go to the Bond Commission. We're going to certify that resolution, let me represent to them that you plan to refund these two bond issues if it makes economic sense for the city. Right now it does, if the market turns, it may not. But you're going to get the final shot at that refunding. And part of this process again, because of the timing of when it was approached to us, we had to get it on the agenda 30 days in advance. And then like Bill Boles and I have been working really hard and overtime to try to get it completed and to the satisfaction to the Bond Commission. I was answering questions again this morning in response to the final thing that I filed yesterday and sent to Art to inform you. Had I waited to file it for the March hearing, then you would have been getting this information sooner.

Councilman Long: You answered my questions.

Councilman Webb: Thank you Ron, I appreciate you coming down and explaining this to us and I received an email from Councilman Wooley this morning. I know we, several of us discussed it after the Work Session yesterday and informed me of all of these questions and I appreciate the Council Clerk in getting us this information printed up along with all of the answers. It's very educational and I'm still trying to - - - these bond things are so confusing to me, I'll have to admit. And so I appreciate all these explanations that you have in here. It kinda lays it out a little bit.

Mr. Weems: Well one thing that's a little bit different with this, and again, I want to repeat this. There's an RFP process for the underwriter because the Mayor and the FA felt like, hey let's put it out there under these market conditions and see if there's a better deal than what was proposed by Charlie (inaudible). Charlie frankly was not very happy with that. But the Mayor and the FA wanted to try that because these are unusual conditions. I mean there may be some up front substantial discount paid to the city, and this still too cash up front as opposed to some other things. So, the idea was to take it out to a number of underwriters to get it priced by a number of different folks to make sure

we were getting a market value deal. And so that process is underway as well. And that's why in the resolution for professionals, it does not identify an underwriter.

Councilman Webb: Councilman Wooley, I appreciate you taking the initiative to get that going.

Councilman Walford: Mr. Weems, (inaudible) earlier and I didn't realize that an application has already gone to the Bond Commission without a Council resolution. But it went to the Bond Commission essentially the same time this Council found out that this was being done.

Mr. Weems: No, no. There are drafts of the resolution. They have not been approved. We said we have told the Bond Commission - - -

Councilman Walford: I understand that, but I mean a draft resolution went to the Bond Commission before members of this Council even knew that we were going to be trying to refund the bonds.

Mr. Weems: That is correct.

Councilman Walford: And basically this whole thing started at Washington Mardi Gras?

Mr. Weems: No, no. A couple prior days to that, because I left on the 23<sup>rd</sup>. And Bill and I along with the FA made the decision to make a filing with the Bond Commission in complete with notice to them that that's what we were doing because we wanted to get on the February agenda. And that we would supplement it with an updated and final application. And that's what you received yesterday within hours after it was filed with the Bond Commission.

Councilman Walford: But this whole process has been going on since before Washington Mardi Gras?

Mr. Weems: It has and that's not uncommon in this situation. Because if we miss, if that's done as I understand it with the Bond Commission on a regular basis. I don't know about this or the prior Administration here. But Bill Boles and I along with Calvin Grigsby made the decision that because of the financial market volatility, that we needed to get on to the February agenda. So we sent a resolution down there that had a bunch of blanks in it. There was no professional selected. There were no rates selected. We had \$21,000,000 and we said, "Hey, we're going to have to supplement that." They gave us a deadline of February 11 to get it supplemented in order for it to be heard or they were going to jerk us off the Commission agenda. And we met that yesterday. About 1:15 was when I sent it to the Bond Commission. But you are correct that there were draft resolutions - - -

Councilman Walford: Before the Council even knew about it? I feel like I've been left in the dark. That's the point.

Mr. Weems: Yes sir I understand that.

Councilman Walford: We're supposed to make the financial decisions of this city, and we're left in the dark.

Mr. Weems: And you will, because this will come back before you.

Councilman Shyne: Ron and I'm going to yield to Councilman Wooley in just a second. You know I think the point that's being made is that you just don't generally do business like that. And I think you understand that. I think you understand that that's one of the reasons why we're elected, and I figured that you all made a mistake this time. I don't want to look at it from the standpoint of being disrespectful to us, cause if I did,

then I'd take a different opinion to it. Whether other Administrations have done this, not since I've served on the Council, and I've served on a whole bunch of Councils and whether other Bond Attorneys have done this, not since I've been on the Council. So I would suggest to you that to keep the Council informed when you're doing matters like this, even if you have not come to a point where you have finalized. At least like Monty said, at least let us know what's going on. I think it would be better for Council Members. I think it would be better for you as the Bond Attorney, I think it would be better for the Administration. Because we do like to be kept informed. And that's kinda why you have two branches of government. You've got the Executive and the Legislative and we kinda monitor one another. You know it's kinda of a check and balance. And I know you understand that so, I think a mistake was made this time, and I would ask you as a friend, lets don't do that anymore. And I know we do do things.

Councilman Wooley: And I know we've dealt with bond issues before and we just did one pretty much in my district alone. However, as Councilman Walford and I were discussing that, you know we did receive quite a bit of communication prior to that vote, I guess for numerous weeks and numerous council meetings, however I am disappointed in the lack of communication on this particular bond issue especially when it's millions of dollars of taxpayer money and we're supposed to make a decision to basically give you approval to go to the State Bond and the process, I do understand that. However, when you're dealing with taxpayer money and then we're supposed to make decisions and we find out the day before we're supposed to make a vote, I'm just not comfortable with that. I'm really disappointed. I expected more from the Administration in regards to this, and especially when you tell me that you guys were (inaudible) prior to the Washington Mardi Gras, while I think Washington Mardi Gras is probably good for Louisiana politics and all, but I'm not responsible for what goes on at Washington Mardi Gras, I'm responsible for what goes on here. And you know, someone could have sent us an email then. Just an email would have been great. And then to file an application prior to our knowledge, that's just unacceptable. Thank you Mr. Chairman.

Councilwoman Bowman: Mr. Weems, I appreciate the information, I really do. And I have to agree with my fellow Council Members that I don't like getting information at the last minute. I'm going to also consider this a mistake this time. And go on and vote so that you can officially get it to the Bond Commission. But I do agree with the other ones that it is not fair to us to find out information at such a late date when we have to make decisions hurriedly and don't know what the heck we're making them about. Thank you.

Councilman Wooley: And Mr. Chairman, just for the record, I do appreciate once again you taking the time out of your schedule, at least at this point to try to explain late in the game, last minute, but thank you.

Mr. Weems: Believe me, we worked hard to try to get that, it was in the interest of trying to get the best deal for the city that made filing with incomplete information.

Councilman Wooley: I understand, and ultimately we want to make the best decision.

Mr. Weems: Next time, believe me I will send you the incomplete application that I file with the SBC.

Councilman Wooley: Okay, thank you. We appreciate that.

Councilman Shyne: Okay Mr. Thompson, I believe we're at the point where we're ready to vote?

Mr. Thompson: That's correct.

Councilman Shyne: Okay, I'm correct on one something Ron.

Councilwoman Bowman: Let him re-read it Mr. Chairman, if you don't mind.

*The Clerk read the following:* 

**Resolution No. 17 of 2008**: A Resolution of making application to the State Bond Commission for approval of the issuance by the City of Shreveport of not to exceed Twenty-One Million Dollars (\$21,000,000) aggregate principal amount of General Obligation Refunding Bonds, Series 2008 in one or more series, for the purpose of refunding certain existing indebtedness of the city.

Councilwoman Bowman: So, I'm to understand that we're voting for this so that Mr. Weems can see to it that it gets to the Bond Commission. Am I correct?

Councilman Lester: Right. It's still coming back to us.

Councilman Long: We have the final say.

Councilman Shyne: That's correct.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

**INTRODUCTION OF RESOLUTIONS:** (Not to be adopted prior to February 26, 2008)

- 1. **Resolution No. 15 of 2008**: A resolution declaring the City's interest in certain adjudicated properties as surplus and otherwise providing with respect thereto. (B/Walford/D/Wooley/G/Bowman)
- 3. Resolution No. 18 of 2008: A Resolution of making application to the State Bond Commission for approval to hire professionals in conjunction with the issuance by the City of Shreveport of not to exceed Twenty-One Million Dollars (\$21,000,000) aggregate principal amount of General Obligation Refunding Bonds, Series 2008 in one or more series, for the purpose of refunding certain existing indebtedness of the city.

Read by title and as read, motion by Councilman <u>Lester</u>, seconded by Councilman <u>Long</u> to introduce Resolution No(s). 15 and 18 of 2008 to lay over until February 26, 2008 meeting.

Councilwoman Bowman: Excuse me, what are we voting on?

Mr. Thompson: This is to introduce No. 15 and also the resolution which is the companion to the resolution that you just adopted. The resolution now cannot be adopted for two weeks.

Councilman Shyne: It'll lay over.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

**INTRODUCTION OF ORDINANCES:** (Not to be adopted prior to February 26, 2008)

- 1. <u>Ordinance No. 9 of 2008</u>: An ordinance amending the 2008 Budget for the Downtown Development District, and otherwise providing with respect thereto.
- 2. Ordinance No. 10 of 2008: An ordinance amending and reenacting portions of Chapter 6 of the Code of Ordinances relative to Alarms and to otherwise provide with respect thereto.
- 3. <u>Ordinance No. 11 of 2008</u>: An ordinance declaring certain adjudicated properties needed for a valid public purpose and otherwise providing with respect thereto.
- 4. Ordinance No. 12 of 2008: An ordinance declaring certain adjudicated properties to be surplus and to authorize the Mayor of the City of Shreveport to sell the City of Shreveport's tax interest in certain surplus adjudicated properties, and to otherwise provide with respect thereto.

  (A/Lester/B/Walford/F/Shyne/G/Bowman)
- 5. Ordinance No. 13 of 2008: An ordinance closing and abandoning the five and ten foot-wide utility easement running thru lots 93 to 98 in the J. R. Russell Subdivision Unit No. 2 in the SE ¼ of Section 21 (T18N-R14W), Shreveport, Caddo Parish, Louisiana, and to otherwise provide with respect thereto. (A/Lester)

Read by title and as read, motion by Councilman <u>Lester</u>, seconded by Councilman <u>Wooley</u> to introduce Ordinance No(s). 9, 10, 11, 12, and 13 of 2008 to lay over until February 26, 2008 meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long Wooley, Webb, Shyne, and Bowman. 7. Nays: None

6. Ordinance No. 14 of 2008: An ordinance closing and abandoning a portion of the 40 foot-wide Clark Street running adjacent to Lot A, Broadmoor Subdivision Unit 2 and Lot 1, Stamper Park located in the NW ¼ of Section 8 (T17N-R14W), Shreveport, Caddo Parish, Louisiana and to otherwise provide with respect thereto. (B/Walford)

Motion by Councilman <u>Long</u>, seconded by Councilman <u>Wooley</u> to withdraw Ordinance No. 14 of 2008. Motion approved by the following vote: Ayes: Councilmen Lester, Long Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Out of the Chamber: Councilman Walford. 1.

7. Ordinance No. 15 of 2008: Closing and abandoning a 60 foot-wide East 66<sup>th</sup>
Street located between Thornhill Street and Line Avenue located in the Belmount

- Grove addition in the SE ¼ of Section 24 (T17N-R14W), Shreveport, Caddo Parish, Louisiana and to otherwise provide with respect thereto. (C/Long) Map
- 8. Ordinance No. 16 of 2008: Closing and abandoning the Northern Portion Located between Lots 264 and 265 of the 60 foot-wide public right-of-way known as Dillingham Place located in the Land Subdivision in the SW ¼ of Section 6 (T17N-R13W), Shreveport, Caddo Parish, Louisiana and to otherwise provide with respect thereto. (B/Walford) Map
- 9. Ordinance No. 17 of 2008: Closing and abandoning the 10 foot-wide utility easement located in the Forbing Unit Subdivision Lot 1, Forbing Annex Home Sites, Unit 1 and Lot 1, Forbing Annex Home Sites, Unit 5 and the 5 foot-wide utility easement on the east side of Lot 2, Forbing Annex Home Sites, Unit 1 in the NE ¼ of Section 7 (T16N-R13W), Shreveport, Caddo Parish, Louisiana and to otherwise provide with respect thereto. (D/Wooley) Map
- 10. Ordinance No. 18 of 2008: Closing and abandoning the following public right of way name Bullen, Benny & Kristy Streets located in the Country Club Heights Subdivision Unit No. 8, located in the SE ¼ of Section 8 (T17N-R14W), Shreveport, Caddo Parish, Louisiana and to otherwise provide with respect thereto. (G/Bowman) Map

Read by title and as read, motion by Councilman <u>Long</u>, seconded by Councilman <u>Wooley</u> to introduce Ordinance No(s). 15, 16, 17, and 18 of 2008 to lay over until February 26, 2008 meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

### **ORDINANCES ON SECOND READING AND FINAL PASSAGE** (Numbers are assigned Ordinance Number)

1. Ordinance No. 191 of 2008: An ordinance authorizing the issuance of not to exceed \$9,000,000 of the City of Shreveport, State of Louisiana Taxable Special Facilities Revenue Bonds on behalf of the Shreveport Airport Authority, authorizing the pledge of certain revenues to secure the Bonds, awarding the Bonds to the Purchaser thereof, AUTHORIZING THE MAYOR TO EXECUTE DOCUMENTS RELATED TO AN INTEREST RATE SWAP AGREEMENT; and providing otherwise with respect thereto. (Postponed January 22, 2008 until February 12, 2008)

Having passed first reading on October 23, 2008 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Long, seconded by Councilman Webb to postpone. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

2. <u>Ordinance No. 3 of 2008</u>: An ordinance amending the 2008 Budget for the Police Grants Special Revenue Fund.

Having passed first reading on <u>January 22, 2008</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Bowman</u>, seconded by Councilman <u>Long</u> to postpone.

Councilman Lester: Yeah I'm going to support Councilwoman Bowman's motion to postpone. I'm sure she has a legitimate reason, I was going to ask.

Councilwoman Bowman: Yeah, from now on, I'm going to take the time to actually read through each and everything that deals with the finances of the City. And I suggest that the other Council Members do the same.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

3. Ordinance No. 4 of 2008: An ordinance amending and replacing Section 90-198, maximum limits on specific streets, and otherwise providing with respect thereto. (C/Long)

Having passed first reading on <u>January 22, 2008</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Long</u>, seconded by Councilman <u>Wooley</u> to adopt.

Councilman Long: This is my Knight Street reduction. Councilman Shyne: Okay, that's the street I go down a lot.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

4. **Ordinance No. 7 of 2008**: An ordinance amending the 2008 Capital Improvements Budget and otherwise providing with respect thereto.

Having passed first reading on <u>January 22, 2008</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Bowman</u> seconded by Councilman <u>Wooley</u> to postpone. Motion approved by the following vote: Ayes: Councilmen Walford, Long Wooley, Webb, Shyne, and Bowman. 6. Nays: Councilman Lester. 1.

5. Ordinance No. 8 of 2008: An Ordinance amending the 2008 Riverfront Special Revenue Fund Budget and otherwise providing with respect thereto.

Having passed first reading on <u>January 22, 2008</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Webb</u> seconded by Councilman <u>Wooley</u> to postpone.

Councilman Lester: Thank you. To Shelly in SPAR, quick question. Shelly, this budget covers our - - - the City's match for \$150,000 for the project of - - -.

Ms. Ragle-Stone: I think it was one-two votes earlier, the Capital amendment budget?

Councilman Lester: Right. Is that going to - - - I mean have we bid this out? Have we got a contractor or what would the delays?

Ms. Ragle-Stone: I don't think we're going to have any delays in it.

Mr. Dark: As long as it's only two weeks, it's not a problem.

Councilman Lester: Okay, I mean I read it, I was just wanted to make sure.

Councilman Walford: Mr. Chairman, I also want to (inaudible), not this isn't for Shelly, but it shows this has a direct impact on Council District A, and I really am claiming downtown. I'm not going to give it to Mr. Lester.

Councilman Shyne: Wait, did you all hear that.

Councilman Walford: Well if you read the legislation, you'll find that it's District A.

Councilman Shyne: I know, that's kinda like a mother hen. Always claiming and district downtown Mike belongs to all of us. So don't let Monty sell you - - - you know better than that, you've been around long enough to know better than that. You remember when that used to be Huckaby's district.

Motion approved by the following vote: Ayes: Councilmen Walford, Long Wooley, Webb, Shyne, and Bowman. 6. Nays: Councilman Lester. 1.

6. Ordinance No. 5 of 2008: ZONING – C-1-08: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the southeast corner of North Market and Barton Drive, Shreveport, Caddo Parish, Louisiana, from 1-2, Heavy Industrial District, to B-3, Community Business District, and to otherwise provide with respect thereto. (A/Lester)

Having passed first reading on <u>January 22, 2008</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Lester</u>, seconded by Councilman <u>Wooley</u> to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

7. Ordinance No. 6 of 2008: ZONING – C-4-08: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the south side of Bert Kouns, 250 feet west of Dean Road Shreveport, Caddo Parish, Louisiana, from B-2, Neighborhood Business District, to B-3, Community Business District, with site plan and MPC Approval and to otherwise provide with respect thereto. (E/Webb)

Having passed first reading on <u>January 22, 2008</u> was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Webb</u>, seconded by Councilman <u>Long</u> to adopt. Motion approved by

the following vote: Ayes: Councilmen Lester, Walford, Long Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

The adopted ordinances and amendments follow:

### **ORDINANCE NO. 4 OF 2008**

AN ORDINANCE AMENDING AND REPLACING SECTION 90-198, MAXIMUM LIMITS ON SPECIFIC STREETS, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BE IT ORDAINED by the City Council of the City of Shreveport in due, regular and legal session convened that Section 90-198 of the Code of Ordinances for the City of Shreveport pertaining to Traffic and Vehicles, Maximum Limits on Specific Streets, is hereby amended and replaced to read as follows:

Sec. 90-198. Maximum limits on Specific Streets.

\* \* \* \* \* \* \* \* \* \* \*

Speed Limit Street Extent (mph)

\* \* \* \* \* \* \* \* \* \* \*

Knight Street From Shreveport-Barksdale Highway to East Preston Street 30

\* \* \* \* \* \* \* \* \* \*

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items or applications and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that Ordinance No. 68 of 1988 pertaining to the speed limit on East Preston Street and Knight Street, and all other ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

### **ORDINANCE NO. 5 OF 2008**

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE SOUTHEAST CORNER OF NORTH MARKET AND BARTON DRIVE, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM I-2, HEAVY INDUSTRIAL DISTRICT, TO B-3, COMMUNITY BUSINESS DISTRICT, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of property located on the southeast corner of North Market and Barton Drive, Shreveport, Caddo Parish, Louisiana, legally described below, be and the same is hereby changed from I-2, Heavy Industrial District, to B-3, Community Business District.

A tract of land lying S of Barton Drive and E of North Market Street, and being located in Section 23 T18N-R14W, Shreveport, Caddo Parish, Louisiana, and being more particularly described as follows: From the intersection of the S'ly R-O-W line of Barton Drive and the E'ly R-O-W line of North Market, being the P-O-B of the tract herein described, thence N54°43'15"E a distance of 224.45 feet along said S'ly R-O-W line of Barton Drive; thence S35°19'24"E a distance of 195.44 feet; Thence S54°43'15"W a distance of 220.38 feet to said E'ly R-O-W line of North Market Street; thence along an arc to the right (Delta=01°39'19", Radius=6,767.07 feet, Chord=N36°30'58W - 195.48 feet) a distance of 195.49 feet along said N'ly R-O-W of North Market Street to the P-O-B. Said tract herein described contains 43,560 square feet or 1.000 acre. SECTION II: THAT the rezoning of the property described herein is subject to

compliance with the following stipulation:

1. Development of the property shall be in substantial accord with the site plan submitted with any significant changes or additions requiring further review and approval by the Planning Commission.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance which can be given effect without the invalid provisions, items, or applications and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all ordinances or parts thereof in conflict herewith are hereby repealed.

### **ORDINANCE NO. 6 OF 2008**

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON SOUTH SIDE OF BERT KOUNS, 250 FEET WEST OF DEAN ROAD, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM B-2, NEIGHBORHOOD BUSINESS DISTRICT, TO B-3, COMMUNITY BUSINESS DISTRICT, WITH SITE PLAN AND MPC APPROVAL, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of property located on the south side of Bert Kouns, 250 feet west of Dean Road, Shreveport, Caddo Parish, Louisiana, legally described below, be and the same is hereby changed from B-2, Neighborhood Business District, to B-3, Community Business District, with site plan and MPC Approval.

Beginning at the northeast corner of Bert Kouns Industrial Loop and Lot 2, Elkins Commercial Subdivision, run south along the east line of said Lot 2 a distance of 75 feet; thence run west and parallel to Bert Kouns Industrial Loop a distance of 75 feet; thence run north and parallel to the east line of said Lot 2 a distance of 75 feet to a point on the south right-of-way line of Bert Kouns Industrial Loop; thence run east along said right-of-way a distance of 75 feet to the point of beginning.

SECTION II: THAT the rezoning of the property described herein is subject to compliance with the following stipulation:

2. Development of the property shall be in substantial accord with a revised site plan to be submitted to and approved by the Planning Director, showing height limitations and vertical improvements that shall apply only to the designated portion of the tract as discussed at the January 2, 2008 Public Hearing. Any significant changes or additions shall require further review and approval by the Planning Commission.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance which can be given affect without the invalid provisions.

application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance which can be given effect without the invalid provisions, items, or applications and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all ordinances or parts thereof in conflict herewith are hereby repealed.

#### **UNFINISHED BUSINESS:**

- 1. Ordinance No. 204 of 2006: An ordinance amending the 2006 Budget for the Riverfront Development Special Revenue fund and otherwise providing with respect thereto. (Disparity Study) (A/Lester) (Introduced November 14, 2006 Tabled December 12, 2006)
- 2. Ordinance No. 205 of 2006: An ordinance amending the 2006 Capital Improvements Budget and otherwise providing with respect thereto. (*Introduced November 14*, 2006 Tabled December 12, 2006)
- **Resolution No. 51 of 2007:** A resolution supporting the Employee Free Choice Act, and to otherwise provide with respect thereto. (*Tabled May 8, 2007*)
- **4.** Ordinance No. 122 of 2006: Amending portions of Chapter 90 of the Code of Ordinances relative to traffic and vehicles and to otherwise provide with respect thereto. (A/Lester) (Tabled September 11, 2007)

### **PROPERTY STANDARDS APPEALS:**

**HBO0700145** – 426 Woodrow, Shreveport, LA (F/Shyne) Mr. Adrian Gerard Gallion, 124 Carroll Street, Shreveport, LA 71105 (C/Long) (postponed August 27, 2007 until February 25, 2008)

**HBO0700081** – 1062 Dalzell Street, Shreveport, LA (B/Walford) Mr. Stanley W. Burke, III, 8848 Youree Drive, Shreveport, LA 71115 (D/Wooley)(*Postponed February 11, 2008 until March 10, 2008*)

**HBO0700137** – 1919 Walnut Street, Shreveport, LA (A/Lester); Ms. Ethel J. Reed, 4745 McDaniel Drive, Shreveport, LA 71109 (F/Shyne) )(Postponed February 11, 2008 until February 25, 2008)

**PSD0700065** - 2513 Dupont Street, Shreveport, LA (B/Walford); Mr. David Bates, 2509 Dupont Street, Shreveport, La 71103 (B/Walford) )(*Postponed February 11, 2008 until April 7, 2008*)

**PSD0700243** - 129 Stoner Ave, Shreveport, LA (B/Walford); Mr. Raul Perez, Jr. 226 Cattail Trail, Benton, LA 71006)(*Postponed February 11, 2008 until March 10, 2008*)

**PSD0700241** - 1512 Easy Street, Shreveport, LA (B/Walford) Mr. Marcus Grant, 524 Lomax Street, Shreveport, LA 71104 (B/Walford) (Decision rendered February11, 2008)

**HBO0700179** – 611 Argyle (F/Shyne) Mr. Raymond Stevenson, 4145 Carver Street, Shreveport, LA (F/Shyne) (*Postponed January 7, 2007 until March 10, 2008*)

### **NEW BUSINESS**

### **ABO APPEAL**:

Mr. Matthew McLain, 205 Merrick Street Apt #103, Shreveport, LA (B/Walford) (Decision rendered February 11, 2008)

### **ANIMAL SERVICES BOARD OF APPEAL**:

Mr. Mohamed Ibrahim, 295 Atlantic Avenue, Shreveport, LA 71105 (C/Long) (Decision rendered February 11, 2008)

### **ZONING BOARD OF APPEALS**:

The Clerk read the following:

**BAC-5-08**: Property located on the west side of East Ridge Drive, 160 feet south of Berkshire. (C/Long)

Motion by Councilman <u>Long</u>, seconded by Councilman <u>Walford</u> to remand BAC-5-08 to the Zoning Board of Appeals.

Councilman Long: Thank you Mr. Chairman, I just wanted to make a comment. I think that what's happened here is that there are some issues here that do need to be addressed, but generally speaking I think the applicants are attempting to do what they are trying to do generally is an improvement to their property and I support that. I also understand the other folks concerns relative to the setbacks or the size factor, but in the same breath, some of these folks for whatever reason fell outside the MPC notification zone and just feel like they just want have a voice. So, I think the thing to do is to let the ZBA go back and re-hear this case, and let everybody weigh in where they need to weigh in, and whatever works out, works out. It may come back to us, it may not. But I would just rather let the ZBA have that opportunity to accomplish that. I appreciate your support on that.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

*The Clerk read the following:* 

Motion by Councilman <u>Webb</u>, seconded by Councilman <u>Long</u> to uphold the decision of the ZBA. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long Wooley, Webb, Shyne, and Bowman. 7. Nays: None.

### REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES

Councilman Shyne: Yesterday I think Councilwoman Bowman, you said that the meeting would be held - - -

Councilwoman Bowman: Yes sir, the meeting will be held this coming Friday, at 12:00 noon in the Conference Room here behind the Chamber. One other thing Mr. Chairman and fellow Council Members, we received this letter from the Mayor and of course, somewhere in here, apparently he has directed Chief Whitehorn to develop a security protocol. Especially here at Government Plaza, and that's what we have basically discussed on yesterday in the absence of the Mayor. So at that point, we mentioned this being on the agenda. It was to as a governing body and a group coming together to give suggestions or whatever as far as security here is concerned. So therefore, I don't know if we leave it on the agenda, or what do we do. Do we leave it off, since you are already addressing it Mr. Mayor.

Mayor Glover: Chair Member Bowman, it's more than within your prerogative to leave it on your agenda for Public Safety Committee. However as Mayor of the City of Shreveport, it is my responsibility to lead and direct the activities of the City on a day to day basis. And obviously the Chief is one of the folks who reports directly to Tom Dark, Tom Dark reports to me, and so it's my responsibility and obligation to not just simply wait to respond to these types of concerns to be raised by the Council, but to take proactive steps to actually address these problems in a direct and forthright manner. So, that's one of the directives that I have given him, and something that he and I have been discussing for quite some time. It's obviously taken on added significance here in the last week or so. But certainly, we welcome the ideas, the thoughts, the opinions of the Council, and we will certainly look to work with you on as we do these things cooperatively and conjunctively as a certainly a role for all of us to play in terms of addressing these issues and I'm more than interested in what it is that you and the rest of the Council have to say about it.

Councilwoman Bowman: Certainly I understand protocol and that Mr. Dark works for you and the Chief also. We were in a sense trying to be proactive too. We sit here and in light of what happened in Missouri this past week, we also have concerns and wanted to make sure that we had a chance to at least address the situation.

Mr. Dark: We would welcome that. I think it's a part of what the Chief is doing for the Mayor, the ideas of the Council about their own security and particularly the security as we need it here would be absolutely welcomed. Notice we have a first step, we have a gentleman standing back there whose not been standing there before. That's just a way to do something until we can come up with a little more full blown protocol for what we want to do. And that does involve y'all. So absolutely, the Chief will be here,

his folks will be at the Public Safety Committee meeting and whatever comments you all have, please feel free to give 'em.

Councilwoman Bowman: Again, the meeting will be this Friday, the 15<sup>th</sup>, 12:00 noon in the Conference Room behind this Chamber. And if you plan on attending please get with Sharon so that she will have a count. Thank you Mr. Chairman.

### CLERK'S REPORT: None.

### **THE COMMITTEE RISES AND REPORTS: (Reconvenes Regular Council Meeting)**

**ADJOURNMENT**: There being no further business to come before the Council, the meeting adjourned at approximately 7:10 p.m.

//s// Joe Shyne, Chairman	
///s// Arthur G. Thompson	Clerk of Council